

**NOB HILL NEIGHBORHOOD ASSOCIATION**  
**MINUTES DECEMBER 12, 2016**

**Call to Order: Adrian Carver 6:33pm**

Minutes taken by Greg Weirs

Directors Present: Flora Silva, Gary Eyster, Adrian Carver, Beverly Hill, Kyle Ruggles, Govinda Haines, Andy Novat, Tim Ross, Maria Munguia, Greg Weirs, Bob Anderson

Absent: Skye Devore (illness), Shani Madden (travel), Joanna Kelsey (travel), Mo Chavez

Quorum: 11 of 15 directors present

**Changes to the Agenda**

Move Outreach Committee item from the Consent Agenda to Old Business discussion. The Board accepted this change to the agenda without dissent.

**President's Announcements**

- The letter regarding the traffic island has been sent, but we have not gotten a response yet. In earlier discussions, Jim Berrera, a traffic engineer, noted that a cost estimate would be needed, and this is being pursued.
- The Bylaws committee has not met yet.
- Regarding the fire at The Carlisle, Adrian has talked with Pat Davis as well as the developer, Kenny Hinkes, and can report that the intent is to rebuild the same project. Possible speakers on the topic are very busy at this time, and it may take a while to get an in-person report.
- Some directors have asked for relief from commercial email (spam) on [theboard@nobhill-nm.com](mailto:theboard@nobhill-nm.com), and after discussions with our host SWCP, Greg is looking into replacing the simple forwarder with a dedicated email address to which filtering could be applied.

**Consent Agenda**

The Board voted unanimously to approve the consent agenda. Attachments for: District 6 Coalition report, Treasurer's report.

**Speaker: Tim Keller, New Mexico State Auditor**

Mr. Keller introduced himself and the role of his office, and then described some of the things he has found about capital requests and the state budget.

The Office of the State Auditor is responsible for auditing all government entities in the state of New Mexico. This includes the state legislature and other state offices, but also county and city governments, the flood control agency, and many, many others. It is a part of the executive branch of the state government, but maintains independence from the rest of the executive branch and the legislative branch. The

State Auditor leads the Office of the State Auditor and is elected in a state-wide election.

Mr. Keller explained that there are two ways the state allocates and spends money: a recurring budget for salaries and ongoing expenses, and a separate process for single expenditures, in particular for capital infrastructure projects. The overall state budget has been between about \$4.5 and \$6.5 billion/year for the past decade, with smaller budgets during the great recession and more recently due to the struggles of the oil and coal industries. At this time, there is approximately \$4 billion in unspent capital funding - funding that was passed by the legislature and allocated, but has not been spent. It is natural that there is a gap between allocating funding and spending it, but much of the \$4 billion is in a kind of limbo. Approximately \$1 billion has been allocated but the state does not have the infrastructure to spend it.

There are three root causes behind money being allocated but not spent in a timely fashion: the city or other government entity and the state do not agree on the projects the state has funded; partially funded projects; and matching funding. Legislators are generally allowed a certain amount of state funding each year for their districts. (This mechanism is recognized as problematic.) If there is not enough funding for a particular project in a legislator's district, the legislator may build up the funding over several years by partially funding the project each year. Until a project is fully funded, work can't be started on the project. Sometimes non-state funding is used in combination with state funding for a project (matching funding); but for various reasons the other funding does not get allocated. In this case state funding is generally contingent on the other funding allocation, but is not recovered in the state budget if the other funding does not come through.

Mr. Keller is working through the legislature to recover the money allocated to projects that are orphaned or unlikely to be fully funded; this would help the very tight state budget this year, and would improve the efficiency of state spending in general. His advice for neighborhoods is to work with your state legislators on projects that need state funding. Drive projects with broad neighborhood support, find projects that can be fully funded, and beware of matching funding or ensure that it is in place.

## **Zoning and License Requests**

16ZHE-80277 Project# 1011025 H L WHEATON requests a special exception to Section 14-16-3-3(A)(7)(a): a VARIANCE of 30 ft to the required 35 ft to allow a proposed new 25 ft house for all or a portion of Lot 20, Block 54, University Heights zoned R-1, located on 309 CARLISLE BLVD SE (K-16)

The owner and the builder, Rex Paul Allen Wilson, presented plans for a new, energy-efficient, two-storey house. Mr. Wheaton has owned the property since 1970 and lived there in a two-storey; that house was demolished in 2015 to make room for the new house. The footprint of the new house will be approximately the same as the earlier

house, measuring approximately 40' wide by 60' deep, and almost 26' high at the highest point; only the rear 60% of the house (plan area) is two stories, with much of the front half an attached two-car garage. The house faces east and is set back more than 40' from the sidewalk.

The variance is required to address the solar rights requirements of the 2007 Nob Hill Highland Sector Development plan. These requirements are intended to protect the solar access of the neighbors of the property. In this case, it is the neighbor to the north that would lose significant solar access. Mr. Wheaton states that none of the immediate neighbors have any concerns, including the neighbor to the north.

In the Board's discussion, the views of the neighbor to the north and speculation on whether he understood the consequences of the proposed house carried a heavy weight. The house is designed to be highly energy efficient and the Board viewed this positively. The Board did not find the lot to be exceptional.

A motion to oppose the request for the variance was made. The Board voted 4-5 in favor (two abstentions), so the motion failed.

16ZHE-80287 Project# 1011035 DENNIS BLEY AND LESLIE BOWEN (GARCIA/KRAEMER & ASSOCIATES, AGENT) requests a special exception to Section 14-16-2-6(B)(1) : a CONDITIONAL USE to allow an existing accessory living quarters for all or a portion of Lot 22, Block 53, University Heights zoned R-1, located on 405 CARLISLE BLVD SE (K-16)

Jonathan Turner (agent) presented the request to the Board. The owners have owned the house for about five years. The detached garage had been converted to an accessory living quarters before they bought the property. Mr. Turner's research was not able to determine the date of the conversion, but he estimates at least 30 years; the accessory living quarters appears to have been renovated at least once since the conversion. There are no cooking appliances in the accessory living quarters.

The owners are requesting the conditional use as an administrative step; they have not made modifications to the accessory living quarters and have no plans to do so. The conditional use is required since the date of conversion cannot be definitively established. Mr. Turner noted the previous owner had requested a conditional use, but withdrew the request because the city was in the process of giving blanket approval to otherwise non-conforming (existing before zoning required a conditional use) structures. Since then the city has removed this blanket approval.

A motion to support the request for a conditional use was made, based on no obvious opposition by immediate neighbors, and with the understanding the cooking facilities would not be added. The Board voted 10-0 (one abstention) to support the request.

16ZHE-80311 Project#1011060 GUY GEMMER requests a special exception to Section 14-16-3-3(B)(2)(e): a VARIANCE of 3 ft 6 in to the 10 ft separation required for all or a

portion of Lot 2, Block 39, University Heights zoned OR-1, located on 204 RICHMOND DR SE (K-16)

No representative of the applicant attended the meeting to describe their request. The Board voted 10-0, 1 abstention, to send a letter requesting a deferral of this case until the applicant can present their plans to the NHNA.

## **Air Quality Construction Permit Requests**

Air Quality Permit #3255-M1 - University of New Mexico Economics Building  
Proposed installation of a new standby emergency generator at the UNIVERSITY OF NEW MEXICO ECONOMICS BUILDING (BUILDING 57) LOCATED AT 1915 ROMA AVE NE, ALBUQUERQUE, NM 87106 The new generator is powered by a new diesel engine with a power rating of 69 horsepower. The new generator will be replacing an older model 61 horsepower emergency generator. The University of New Mexico seeks to restrict the diesel engine to 200 hours per year of operation.

Air Quality Permit #3299 - University of New Mexico Zimmerman Library  
Proposed installation of a new standby emergency generator at the UNIVERSITY OF NEW MEXICO ZIMMERMAN LIBRARY LOCATED AT 800 YALE BLVD NE, ALBUQUERQUE, NM 87106. The new generator is powered by a new diesel engine with a power rating of 69 horsepower. The new generator will be replacing an older model emergency generator. The University of New Mexico seeks to restrict the diesel engine to 200 hours per year of operation.

Air Quality Permit #3299 - University of New Mexico Popejoy Hall  
Proposed installation of a new standby emergency generator at the UNIVERSITY OF NEW MEXICO POPEJOY HALL LOCATED AT 203 CORNELL DR NE, ALBUQUERQUE, NM 87106. The new generator is powered by a new diesel engine with a power rating of 480 horsepower. The new generator will be replacing an older model emergency generator. The University of New Mexico seeks to restrict the diesel engine to 200 hours per year of operation.

Mr. Israel Tavares (CABQ) explained the city's process for air quality permit approval. Mr. Mike Tuttle and Mr. Mike Buchannon (UNM) attended to answer any questions about the specific permits under consideration.

The city air quality (a. q. ) program approves a. q. permits. Mr. Tavares explained that when they receive an application, they publicize it (including notifying nearby neighborhood associations) and begin a 30-day public input window. If no input is received, they approve the permit. If there is public input, a technical analysis is done and another 30-day public input period is opened. In addition, public meetings of informal meetings can be requested.

The specific permits requested at this time are for backup generators at three buildings at UNM (economics building, Zimmerman Library, Popejoy Hall). These

generators replace older generators and meet newer a. q. standards (more restrictive in terms of noise and emissions.) If there are no unexpected power outages, the generators usually operate for about 30 minutes each month while routine maintenance on the main power supply is done.

The Board voted unanimously to table further consideration of these air quality permits.

## **Old Business**

### **Outreach Committee Discussion: (Gary Eyster)**

**Think Nob Hill First** Last month the Board approved a \$700 contribution to NH Main Street to produce an additional 3,000 Nob Hill Gift Guides. Skye Devore paid Main Street the \$700. We were offered a full page ad. Skye produced a really beautiful ad. Ron Halbgewachs managed successful distribution. There were some complaints about the content of the Gift Guide. Adrian met with Carolyn Chavez and Omega Delgado (NHMS) and they said the sparsity of the content was mainly due to low merchant interest in advertising. The cost of printing the additional Guides was reduced from \$700 to \$380.

**Nob Hill is 100 Oral History Premiere** The event was held December 4, 2016. We premiered 2 of the 5 short films to a capacity crowd of 120. The Guild Cinema normally charges \$175 to host a film presentation, but owner Keif Henley provided the theater for \$100 plus gross receipts tax. Earlier the NHNA Board approved paying the fee for the Guild and donating admission fees and any other contributions to St. Martin's Hospitality Center. We charged 25¢ admission as they did in Nob Hill's early days. At the door, Susan Michie collected \$194.30 which included sale of 5 shopping bags at \$4 each. She paid the Guild \$108 and the remaining amount (\$86.30) was turned over to the Treasurer. The Treasurer will write a check for \$200 (rounding up from \$194.30) to St. Martin's Hospitality Center. Gary Eyster will arrange a presentation to St. Martin's with NH Main Street, who will be donating \$800, the proceeds from the 35¢ Chicken Dinner. All directors will be invited.

**Nob Hill is 100 Oral History Project Premiere #2...** We asked Keif at The Guild for a date to show the premiere of Short Films 2, 3, and 5. He has offered April 2 at 1 pm. We anticipate that he will again offer the theater for \$100. Propose again making admission 25¢, donations accepted, proceeds to St. Martin's Hospitality Center. The Board voted to cover the theater costs (\$100 plus tax) for the premiere of the second set of films.

**Nob Hill is 100 Wellesley Triangle Art Installation...** The selection committee is to make their choice during the week of December 12. Susan Michie (originally proposed the project to the city's 1% for art program) would make the five finalists's entries available for the Board to see, if desired. The installation schedule has not been determined.

*NHNA Outreach Event, Alcohol Laws and Processes...* scheduled for January 26, 6pm social time, 6:30-8:00 program. Mo and Gary are putting together the program.

## **New Business**

### **Lead/Coal Traffic Discussion**

A letter has been written regarding the public's concerns, but discussion will be deferred to next month in the interest of time.

### **Public Safety, Security, and Crime Discussion**

Dave Dixon runs the monthly meeting and has been doing so for the past several years after taking over from Spence Nelson. Lately, public attendance has been low, and Dave would like input on how to improve the meeting.

There does not seem to be a decrease in the amount of crime or the neighborhood's interest in it. Alcohol related crime has increased in lower NH, as has violent crime, according to Sara Massic (?) (data analyst from APD.) It is not clear if the violent crime is connected to the alcohol-related crime. Other crime/safety topics of interest: street racing on Lead and Coal, residential burglaries, property crime, security in parking lots (Yanni's and Monte Vista Fire Station), homeless and transients in Morningside Park. With that said, there is the perception that the meetings are not productive - the police representatives attending seem unable to address the issues without more resources.

Dave is willing to halt the meetings until a more effective forum or mechanism can be found.

## **Adjournment**

The meeting was adjourned at 9:22 pm.

## **District 6 Coalition of Neighborhoods Report to NHNA**

**December 12, 2016**

The District 6 Coalition of Neighborhood Associations met on Wednesday, November 9, 2016, starting at 7:00 PM, at the Alice B. Hoppes African American Pavilion at EXPO NM.

The Treasurer, Marian Jordan, reported the Coalition bank balance was \$1336.56. This is approximately \$250.00 more than the balance at the end of 2015.

Ron Halbgewachs, Chairman of the SE Area Community Policing Council (CPC), gave a presentation on the role of the CPC working with citizens and the Albuquerque Police Department. There are six CPCs in the city of Albuquerque, each representing the corresponding six APD Areas of Command. He also noted that he would be in contact with each of the neighborhood associations within the SE Area Command to attend one of their neighborhood meetings to talk about the efforts of the CPC.

Tim Keller, State Auditor, gave a presentation “Stories of Transparency and Good Government”. He described the efforts of the State Auditor Department and some of the work that has been conducted since his appointment. One of the things discovered is a total balance of approximately \$3 Billion in untouched capital outlay funds. This is spread over approximately 440 different accounts and the excuse for not using these funds is “we don’t have the staff” to support all of these accounts. One of the questions that should be addressed by the State Legislature when it meets in January is how to access these funds that could be used by New Mexico counties, cities, and even neighborhood organizations.

→ I recommend Tim Keller be invited as a speaker to the next Nob Hill Neighborhood Association.

During the Round Robin portion of the meeting, I described the many activities and outreach programs that NHNA has conducted during our “Nob Hill is 100” celebration.

The **next meetings** of the District 6 Coalition will be held on Wednesday, February 8, 2017, and Wednesday, June 14, 2017.

Ron Halbgewachs  
NHNA Representative to District 6

Income	2015/2016	Proposed 2016/2017	Acutal 2016/2017	Sep-16	Oct-16	Nov-16
	Membership	\$ 1,235.00	\$ 1,230.00	\$ 1,237.00	\$ 20.00	\$ 717.00
Merchandise	\$ 624.00	\$ 624.00	\$ 94.00		\$ 94.00	
Movies	\$ 100.00	\$ 100.00	\$ 100.00		\$ 100.00	
Newsletter	\$ 5,228.67	\$ 5,100.00	\$ 605.00	\$ 605.00		
Petty Cash	\$ 200.00	\$ -	\$ -			
Tree Grant	\$ 330.00	\$ -	\$ -			
<b>Total Income</b>	<b>\$ 7,717.67</b>	<b>\$ 7,054.00</b>	<b>\$ 2,036.00</b>	<b>\$ 625.00</b>	<b>\$ 911.00</b>	<b>\$ 300.00</b>
<b>Expenses</b>						
Newsletter	\$ 3,479.69	\$ 3,400.00	\$ 1,780.31	\$ 1,780.31		
Outreach	\$ 782.14	\$ 800.00	\$ 385.44		\$ 127.45	\$ 57.99
Admin Expenses	\$ 378.48	\$ 380.00	\$ 275.95		\$ 261.78	\$ 14.17
Merchandise	\$ 849.56	\$ 500.00	\$ -			
Misc	\$ 150.00	\$ 150.00	\$ -			
Paypal Fees	\$ 91.19	\$ 100.00	\$ 20.05	\$ 3.54		\$ 14.45
Petty Cash	\$ 200.00	\$ -	\$ -			
NH100	\$ 800.00	\$ -	\$ 429.25			
Think NH First	\$ -	\$ -	\$ 380.00			
Tree Grant	\$ 330.00	\$ -	\$ -			
<b>Total Expense</b>	<b>\$ 7,061.06</b>	<b>\$ 5,330.00</b>	<b>\$ 3,271.00</b>	<b>\$ 1,783.85</b>	<b>\$ 389.23</b>	<b>\$ 86.61</b>
			B. Balance	\$ 10,131.85	\$ 8,973.00	\$ 9,494.77
			E. Balance	\$ 8,973.00	\$ 9,494.77	\$ 9,708.16