



City of Albuquerque

City of Albuquerque
Government Center
One Civic Plaza
Albuquerque, NM 87102

Action Summary

City Council

Council President, Isaac Benton, District 2
Council Vice-President, Dan Lewis, District 5

Louie Sanchez, District 1; Klarissa J. Peña, District 3
Brook Bassan, District 4; Pat Davis, District 6
Tammy Fiebelkorn, District 7; Trudy E. Jones, District 8
Renee Grout, District 9

Monday, December 5, 2022

5:00 PM

Via Zoom Video Conference

TWENTY-FIFTH COUNCIL - TWENTY- FIRST MEETING

1. ROLL CALL

Present 9 - Brook Bassan, Isaac Benton, Pat Davis, Tammy Fiebelkorn, Renee Grout, Trudy Jones, Dan Lewis, Klarissa Peña, and Louie Sanchez

2. MOMENT OF SILENCE

Councilor Davis led the Pledge of Allegiance in English.
Councilor Bassan led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

10. GENERAL PUBLIC COMMENTS

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

November 21, 2022

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Deferrals/Withdrawals

- I. [R-22-70](#) Requiring A Transit System Security Incident Response Tactical Plan,

Quarterly Reporting Of Security Calls For Service In The Transit System, And Development Of A Long-Term Security Plan, For The Operations And Facilities Of The Albuquerque Transit Department (Peña)

A motion was made by Councilor Peña that this matter be Postponed to January 4, 2023. The motion carried by the following vote:

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

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

- a. [EC-22-121](#) Revenue & Expense Report for Third Quarter Fiscal Year 2022 and Quarterly Savings Use Report
- A motion was made by Vice-President Lewis that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- b. [EC-22-150](#) Air Cargo Building Lease and Agreement between the City of Albuquerque and Peak Supply Chain Solutions ("Peak SCS")
- A motion was made by Vice-President Lewis that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- c. [EC-22-153](#) Contract between the City of Albuquerque and Ciudad Soil and Water Conservation District (CIUDAD) for the Rio Grande Bosque Wildfire Mitigation Project
- A motion was made by Vice-President Lewis that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- *d. [EC-22-160](#) Declaring a Portion of Tract 433 Atrisco Grant Unit 3 Not-Essential For Municipal Purposes
- A motion was made by Vice-President Lewis that this matter be Withdrawn by Administration. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- e. [EC-22-161](#) Mayor's Recommendation of Award (ROA) for RFP-2022-231-POL-EV "CODIS STR DNA Testing and Analysis Services"
- A motion was made by Vice-President Lewis that this matter be Approved. The motion carried by the following vote:**

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

f. [EC-22-183](#)

Mayor's appointment of Mr. Christopher Love to the Para Transit Advisory Board

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

g. [EC-22-184](#)

Mayor's reappointment of Mr. Jeff Blair to the Para Transit Advisory Board

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

h. [EC-22-185](#)

Mayor's Recommendation of Architectural Consultants for Site Assessment and Design of the Yale Operations & Maintenance Facility

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

i. [EC-22-192](#)

Mayor's appointment of Mr. Mario E. Del Angel-Guevara to the Human Rights Board

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

j. [EC-22-193](#)

Mayor's appointment of Ms. Cara Gordon Potter to the Arts Board

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

k. [EC-22-194](#)

Mayor's reappointment of Ms. Jacqueline H. Smith to the Para Transit Advisory Board

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

l. [OC-22-22](#)

Reappointment of Mr. Timothy MacEachen to the Environmental Planning

Commission

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

11. ANNOUNCEMENTS**12. PUBLIC HEARINGS: {Appeals, SAD Protest Hearings}****13. APPROVALS: {Contracts, Agreements, and Appointments}**

- *a.** [EC-22-165](#) Authorization to Supplement a Professional Technical Agreement with Engender, Inc., to Provide Substance Use Treatment
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- *b.** [EC-22-187](#) Approving an Agreement with Jaramillo Law Firm, PC to provide legislative and lobbying services
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- *c.** [EC-22-195](#) Lease Agreement between First Choice Community Healthcare and the City of Albuquerque at 6900 Gonzales Road SW
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- *d.** [EC-22-197](#) Approving an Agreement with Thompson Consulting, LLC to provide legislative and lobbying services for the City of Albuquerque
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- *e.** [EC-22-198](#) Mayor's Recommendation of Award (ROA) to David Campbell Attorney at Law, LLC for "Development Hearing Officer"
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

***f.** [EC-22-200](#)

Supplement Number 11 to Lease between City of Albuquerque and The United States Air Force (USAF)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

14. FINAL ACTIONS

a. [O-22-33](#)

Amending §14-16 The Integrated Development Ordinance To Remove All References To Safe Outdoor Spaces (Bassan)

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

For: 5 - Bassan, Grout, Lewis, Peña, and Sanchez

Against: 4 - Benton, Davis, Fiebelkorn, and Jones

b. [O-22-39](#)

C/S Amending Chapter 2, Article 4 Of The City Code Relating To Elections And Petitions (Davis, Peña, Bassan, by request)

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

For: 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez

Against: 1 - Jones

c. [O-22-40](#)

C/S Amending Articles, XII, XIII, And XVI Of The City Charter Relating To Elections And Public Campaign Financing (Davis, Peña, Bassan by request)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

d. [O-22-41](#)

F/S Amending The Intergovernmental Relations Ordinance To Update Intergovernmental Relations Committee Membership, The Ability Of The Committee To Convene, The Intergovernmental Coordination Responsibilities Of The Committee, Development Of The Federal And State Program Resolutions, Review Of Obligations (Fiebelkorn, Peña, Bassan)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

A motion was made by Councilor Bassan that this matter be Postponed as Substituted to January 4, 2023. The motion carried by the following vote:

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

e. [O-22-45](#)

Amending The Code Of Ethics Relating To Financial Disclosures Of Elected Officials (Bassan, Peña, and Davis, by request)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

f. [O-22-46](#)

Repealing The City Of Albuquerque Code Of Ordinance Sections 2-6-4-1 Through 2-6-4-6, The "Records Analysis And Disposition Committee" Ordinance And Replacing It With A New Ordinance; Amending The Existing Open Records Ordinance Sections 2-7-6-1 Through Section 2-7-6-7, The "Open Records Ordinance;" Repealing Sections 2-7-7-1 To 3 (Fiebelkorn, by request)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

g. [O-22-47](#)

F/S(2) Creating A Full Access For All Transit Fare Structure And Transit Security Process, Amending Sections 7-2-1-1 And 7-2-1-2 Of The Transit Fares Ordinance To Improve Transit Access To All Persons While Providing Accountability; Creating A New Section 7-2-1-3, Of The Transit System Ordinance To Modify The Zero Fare Pilot Project To A Pass-Based Zero Fair Program Beginning June 30th, 2023, Creating A Section 2-11-20 Of The Budget Ordinance To Create An Operating Fund For Motor Coach And Paratransit Vehicle Operator Salaries; Establishing Rules For Issuing Transit Passes, Requiring A Study To Develop A Transit Pass Management Program, Development Of A Short Term Tactical Plan And A Long-Term Security Plan, For The Operations And Facilities Of The Albuquerque Transit Department, Requiring A Transit System Security Incident Response Tactical Plan And Reporting Process, Directing The Administration To Identify Means To Assist Social Service Agencies To Provide Transit Passes And Making An Appropriation (Peña, Lewis)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

A motion was made by Councilor Peña that Floor Substitute No. 2 be Amended. Councilor Peña moved Amendment No. 1 to Floor Substitute No. 2. The motion carried by the following vote:

For: 8 - Bassan, Benton, Davis, Grout, Jones, Lewis, Peña, and Sanchez

Against: 1 - Fiebelkorn

A motion was made by Vice-President Lewis that this matter be Postponed as Substituted, as Amended to January 4, 2023. The motion carried by the following vote:

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

h. [O-22-48](#)

Amending Chapter 5, Article 5, Of The Revised Ordinances Of Albuquerque, The "Public Purchases Ordinance" Relating To Exemptions From The Competitive Requirements Of The Code (Benton, Grout by request)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

i. [O-22-49](#)

C/S Establishing The Domestic Violence And Sexual Assault Commission; Establishing The Responsibilities Of The Commission (Jones, Fiebelkorn, Grout, Peña)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

j. [O-22-50](#)

Approving A Project Involving Craftworks, LLC Pursuant To The Local Economic Development Act And City Ordinance F/S O-04-10, The City's Implementing Legislation For That Act, To Support The Acquisition, Renovation, And Improvement Of A Beverage Manufacturing And Distribution Facility In Albuquerque, New Mexico; Authorizing The Execution Of A Project Participation Agreement And Other Documents In Connection With The Project; Making Certain Determinations And Findings Relating To The Project Including The Appropriation Of Funds; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Benton, by request)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

k. [O-22-53](#)

Repealing The "Albuquerque Tax Preparer And Consumer Rights

Ordinance” In Its Entirety, And Creating The “Albuquerque Tax Preparer Ordinance” (Davis)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

m. [R-22-74](#)

Approving The University Metropolitan Redevelopment Area Plan (Davis)

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

For: 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, and Sanchez

Excused: 1 - Peña

n. [R-22-76](#)

Directing The City Administration To Develop A Pilot Program Utilizing Noise Cameras For Automated Vehicle Noise Enforcement (Bassan, Benton, Jones)

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

For: 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, and Sanchez

Against: 1 - Peña

*p. [R-22-87](#)

Approving An Award From The U.S. Department Of Housing And Urban Development For Community Development Block Grant Cares Act Funding And An Award From The State Of New Mexico, Beginning In Fiscal Year 2023 (Benton, by request)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

o. [M-22-6](#)

Asking The New Mexico Legislature To Reinstate Qualified Immunity (Sanchez)

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

For: 5 - Bassan, Grout, Jones, Lewis, and Sanchez

Against: 4 - Benton, Davis, Fiebelkorn, and Peña

*q. [R-22-89](#)

Establishing Legislative And Budget Priorities For The City Of Albuquerque For The First Session Of The 56th New Mexico State Legislature (Peña, Fiebelkorn, and Bassan)

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

For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez