



City of Albuquerque

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

Action Summary

City Council

Council President, Dan Lewis, District 5
Council Vice-President, Renée Grout, District 9

Louie Sanchez, District 1; Joaquín Baca, District 2;
Klarissa J. Peña, District 3; Brook Bassan, District 4;
Nichole Rogers, District 6; Tammy Fiebelkorn, District 7;
Dan Champine, District 8

Monday, May 20, 2024

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-SIXTH COUNCIL - TENTH MEETING

1. ROLL CALL

Present 9 - Joaquín Baca, Brook Bassan, Dan Champine, Tammy Fiebelkorn, Renée Grout, Dan Lewis, Klarissa Peña, Nichole Rogers, and Louie Sanchez

2. MOMENT OF SILENCE

President Lewis led the Pledge of Allegiance in English.
Councilor Bassan led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

15. OTHER BUSINESS: {Reports, Presentations, and Other Items}

- a. Executive Session subject to attorney-client privilege pertaining to threatened or pending litigation as permitted by Section 10-15-1.H(7), NMSA 1978.

A motion was made by President Lewis that they move into Executive Session to discuss threatened or pending litigation as permitted by Section 10-15-1.H(7), NMSA 1978. The motion carried by the following vote:

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

4. ADMINISTRATION QUESTION & ANSWER PERIOD

5. APPROVAL OF JOURNAL

May 6, 2024

6. COMMUNICATIONS AND INTRODUCTIONS

7. REPORTS OF COMMITTEES

Finance and Government Operations Committee - May 13, 2024

Land Use, Planning and Zoning Committee - May 15, 2024

Committee of the Whole - May 16, 2024

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

- a. [EC-24-40](#) Declaring Lot 8 Block 26 Emil Mann Addition / Near 528 Charleston St SE Not Essential for Municipal Purposes
- A motion was made by Vice-President Grout that this matter be Postponed to June 3, 2024. The motion carried by the following vote:**
- For:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- b. [EC-24-89](#) Declaring 341 Charleston St SE Not Essential for Municipal Purposes
- A motion was made by Vice-President Grout that this matter be Postponed to June 3, 2024. The motion carried by the following vote:**
- For:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- *c. [EC-24-117](#) Occupational Medical and Health Services, On-Site RFP-2023-440-DFA-EV
- A motion was made by Vice-President Grout that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- d. [EC-24-136](#) Mayor's appointment of Mr. Thomas E. Romero to the Accountability in Government Oversight Committee
- A motion was made by Vice-President Grout that this matter be Withdrawn by Administration. The motion carried by the following vote:**
- For:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- e. [EC-24-137](#) Mayor's appointment of Mr. Frank Horine to the Greater Albuquerque Active Transportation Committee

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

f. [EC-24-138](#)

Mayor's appointment of Mr. John W. Grassham to the Albuquerque Museum Board of Trustees

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

g. [EC-24-140](#)

Legal Department's Quarterly Litigation Report for the 2nd Quarter of FY 2024 (Greater than 10,000)

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

h. [EC-24-142](#)

Appointing Individuals To Serve As Development Hearing Officers To Approve Subdivisions Of Land

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

i. [EC-24-143](#)

Approval of the Risk First Supplemental Agreement to add funds for Outside Counsel Legal Services Between Kennedy, Moulton & Wells, P.C. and the City of Albuquerque

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

***j.** [EC-24-144](#)

Second Amendment to Lease Agreement between City of Albuquerque and First Choice Health Care, Inc. for the Alamosa Health and Social Services

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

***k.** [EC-24-145](#)

Second Amendment to 2008 Lease Agreement between the City of Albuquerque and Springer Industrial Center, LTD located at 1513 Broadway NW

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

I. [EC-24-146](#)

Approval of the Risk First Supplemental Agreement to add funds for Outside Counsel Legal Services Between Jones, Skelton & Hochuli, PLC and the City of Albuquerque

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

***m.** [EC-24-147](#)

Lease Agreement between City of Albuquerque and State of New Mexico Department of Health, Public Health Division, Northwest Region-Women, Infants and Children (WIC) program

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

n. [EC-24-148](#)

Mayor's appointment of Dr. Anthony Fleg to the Open Space Advisory Board

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

9. ANNOUNCEMENTS

10. FINANCIAL INSTRUMENTS

***a.** [O-24-20](#)

Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Short-Term Lodgers' Tax Improvement Revenue Bonds, Taxable Series 2024 In An Aggregate Principal Amount Not To Exceed \$1,000,000 For The Purpose Of Studying, Designing, Developing, Constructing, Reconstructing, Rehabilitating, Renovating, Modernizing, Signing, Enhancing And Otherwise Improving Tourist-Related Facilities And Attractions, Specifically For Isotopes Stadium Located Within The City; Providing For The Payment Of The Series 2024 Bonds From Lodgers' Tax Revenues; Providing For The Collection Of Certain Lodgers' Tax Revenues; Approving The Delegation Of Authority To Make Certain Determinations Regarding The Sale Of The Series 2024 Bonds Pursuant To The Supplemental Public Securities Act; Providing For The Terms And Other Details Concerning The Series 2024 Bonds; Providing

For Certain Documents Pertaining To The Series 2024 Bonds; Ratifying Action Previously Taken; Repealing All Actions Inconsistent With This Ordinance; Authorizing The Taking Of Other Actions In Connection With The Issue And Sale Of The Series 2024 Bonds (Peña)

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

11. APPEALS

12. GENERAL PUBLIC COMMENTS

Please refer to the instructions at the beginning of this Council Agenda.

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

14. FINAL ACTIONS

*a. [R-24-36](#)

C/S Appropriating Funds For Operating The Government Of The City Of Albuquerque For Fiscal Year 2025, Beginning July 1, 2024 And Ending June 30, 2025; Adjusting Fiscal Year 2024 Appropriations; And Appropriating Capital Funds (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: 7 - Baca, Bassan, Fiebelkorn, Grout, Peña, Rogers, and Sanchez

Against: 2 - Champine, and Lewis

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 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 3. The motion carried by the following vote:

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 4.

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 1 to Amendment No. 4. The motion carried by the following vote:

For: 8 - Baca, Bassan, Champine, Fiebelkorn, Grout, Peña, Rogers, and Sanchez

Against: 1 - Lewis

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 4 as amended. The motion carried by the following vote:

For: 8 - Baca, Bassan, Champine, Fiebelkorn, Grout, Peña, Rogers, and Sanchez

Against: 1 - Lewis

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 5. The motion failed by the following vote:

For: 4 - Bassan, Fiebelkorn, Peña, and Rogers

Against: 5 - Baca, Champine, Grout, Lewis, and Sanchez

A motion was made by President Lewis that this matter be Amended. President Lewis moved Amendment No. 6. The motion carried by the following vote:

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

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

For: 8 - Baca, Bassan, Champine, Fiebelkorn, Grout, Peña, Rogers, and Sanchez

Against: 1 - Lewis

***b.** [R-24-40](#)

C/S Establishing One-Year Objectives For The City Of Albuquerque In Fiscal Year 2025; To Meet Five-Year Goals (Peña)

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

For: 5 - Bassan, Fiebelkorn, Grout, Rogers, and Sanchez

Against: 4 - Baca, Champine, Lewis, and Peña

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 2. The motion carried by the following vote:

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 3. The motion carried by the following vote:

For: 8 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Rogers, and Sanchez

Against: 1 - Peña

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

c. [R-24-34](#)

F/S Repealing Article 9 Of Chapter 3 Of The Code Of Resolutions And Replacing It With The Sustainability Resolution (Grout and Fiebelkorn)

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

d. [R-24-44](#)

Approving And Authorizing The Filing Of Grant Applications And The Acceptance Of Potential Grant Awards For Multiple City Departments From Associated Grantor Agencies And Providing For An Appropriation To The City Of Albuquerque; And Appropriating Capital Funds (Peña by request)

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 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

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

For: 8 - Baca, Bassan, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

Excused: 1 - Champine

e. [P-24-1](#)

Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article II Of The Charter Of The City Of Albuquerque Regarding Minimum Votes For Elected Offices And Runoff Elections (Lewis and Peña)

A motion was made by Councilor Fiebelkorn that this matter be Postponed to June 17, 2024. The motion failed by the following vote:

For: 3 - Baca, Fiebelkorn, and Rogers

Against: 6 - Bassan, Champine, Grout, Lewis, Peña, and Sanchez

A motion was made by President Lewis that this matter be Postponed to June 3, 2024. The motion carried by the following vote:

For: 7 - Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 2 - Baca, and Fiebelkorn

f. [R-24-47](#)

Adopting A Proposition To Be Submitted To The Voters At The Next General Election To Be Held In The City Of Albuquerque Concerning Amendments To Article II Of The Albuquerque City Charter; Providing The Form Of The Question And The Designation Clause For Such Question On The Ballot (Lewis and Peña)

A motion was made by President Lewis that this matter be Postponed to June 3, 2024. The motion carried by the following vote:

For: 7 - Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 2 - Baca, and Fiebelkorn

g. [P-24-2](#)

Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article V The Charter Regarding The Procedures For Appointment And Removal Of The City Attorney And City Clerk (Lewis and Grout)

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by Vice-President Grout that the rules be suspended for the purpose of extending the meeting to 11:00 p.m. The motion carried by the following vote:

For: 7 - Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 2 - Baca, and Fiebelkorn

A motion was made by President Lewis that this matter be Postponed as Amended to June 3, 2024. The motion carried by the following vote:

For: 8 - Baca, Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 1 - Fiebelkorn

h. [R-24-48](#)

Adopting A Proposition To Be Submitted To The Voters At The Next General Election To Be Held In The City Of Albuquerque Concerning Amendments To Article V Of The Albuquerque City Charter; Providing The Form Of The Question And The Designation Clause For Such Question On The Ballot (Lewis and Grout)

A motion was made by President Lewis that this matter be Postponed to June 3, 2024. President Lewis withdrew his motion.

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by President Lewis that this matter be Postponed as Amended to June 3, 2024. The motion carried by the following vote:

For: 7 - Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 2 - Baca, and Fiebelkorn

i. [P-24-3](#)

Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article V Of The Charter Of The City Of

Albuquerque Regarding Procedures For Appointment Of Administrative Officers And Appointment And Removal Of The Chief Of Police And Fire Chief (Lewis and Peña)

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by Councilor Bassan that the rules be suspended for the purpose of extending the meeting to 11:20 p.m. The motion carried by the following vote:

For: 6 - Bassan, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 3 - Baca, Champine, and Fiebelkorn

A motion was made by President Lewis that this matter be Amended. President Lewis moved Amendment No. 2. The motion carried by the following vote:

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by President Lewis that this matter be Postponed as Amended to June 3, 2024. The motion carried by the following vote:

For: 7 - Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 2 - Baca, and Fiebelkorn

j. [R-24-49](#)

Adopting A Proposition To Be Submitted To The Voters At The Next General Election To Be Held In The City Of Albuquerque Concerning Amendments To Article V Of The Albuquerque City Charter; Providing The Form Of The Question And The Designation Clause For Such Question On The Ballot (Lewis and Peña)

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

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by President Lewis that this matter be Amended. President Lewis moved Amendment No. 2. The motion carried by the following vote:

For: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

A motion was made by President Lewis that this matter be Postponed as Amended to June 3, 2024. The motion carried by the following vote:

For: 7 - Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 2 - Baca, and Fiebelkorn

k. [P-24-4](#)

Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article XIX Of The Charter Of The City Of Albuquerque Regarding The Procedure To Determine Of Separation Of

Powers Issues Under The City Charter (Lewis and Peña)

A motion was made by President Lewis that this matter be Postponed to June 3, 2024. The motion carried by the following vote:

For: 8 - Baca, Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 1 - Fiebelkorn

I. [R-24-50](#)

Adopting A Proposition To Be Submitted To The Voters At The Next General Election To Be Held In The City Of Albuquerque Concerning Amending Article XIX Of The Albuquerque City Charter; Providing The Form Of The Question And The Designation Clause For Such Question On The Ballot (Lewis and Peña)

A motion was made by President Lewis that this matter be Postponed to June 3, 2024. The motion carried by the following vote:

For: 8 - Baca, Bassan, Champine, Grout, Lewis, Peña, Rogers, and Sanchez

Against: 1 - Fiebelkorn

There being no further business, this City Council meeting adjourned at 11:11 p.m.