



City of Albuquerque

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

Action Summary

City Council

Council President, Pat Davis, District 6
Council Vice-President, Renée Grout, District 9

Louie Sanchez, District 1; Isaac Benton, District 2
Klarissa J. Peña, District 3; Brook Bassan, District 4
Dan Lewis, District 5; Tammy Fiebelkorn, District 7
Trudy E. Jones, District 8

Monday, April 17, 2023

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-FIFTH COUNCIL - TWENTY- NINTH MEETING

1. ROLL CALL

Present 8 - Brook Bassan, Isaac Benton, Pat Davis, Tammy Fiebelkorn, Renee Grout,
Dan Lewis, Klarissa Peña, and Louie Sanchez

Excused 1 - Trudy Jones

2. MOMENT OF SILENCE

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

3. PROCLAMATIONS & PRESENTATIONS

4. ADMINISTRATION QUESTION & ANSWER PERIOD

5. APPROVAL OF JOURNAL

April 3, 2023

11. GENERAL PUBLIC COMMENTS

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

- a. [R-23-100](#) C/S Approving The Programming Of Funds And Projects For The
2023-2032 Decade Plan For Capital Improvements Including The
2023 Two-Year Capital Budget (Bassan, by request)

A motion was made by Councilor Fiebelkorn that this matter be Amended.
Councilor Fiebelkorn moved Amendment No. 1 to Amendment No. 6. The
motion carried by the following vote:

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

Excused: 1 - Jones

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

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

Excused: 1 - Jones

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan moved Amendment No. 7. The motion carried by the following vote:

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

Excused: 1 - Jones

A motion was made by Councilor Grout that this matter be Amended. Councilor Grout moved Amendment No. 8. The motion carried by the following vote:

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

Excused: 1 - Jones

A motion was made by Councilor Grout that this matter be Amended. Councilor Grout moved Amendment No. 9. The motion carried by the following vote:

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

Excused: 1 - Jones

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 10. The motion carried by the following vote:

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

Excused: 1 - Jones

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 1 to Amendment No. 11. The motion carried by the following vote:

For: 5 - Benton, Davis, Fiebelkorn, Grout, and Peña

Against: 3 - Bassan, Lewis, and Sanchez

Excused: 1 - Jones

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 11 as Amended. The motion carried by the following vote:

For: 7 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, and Peña

Against: 1 - Sanchez

Excused: 1 - Jones

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 12. The motion carried by the following vote:

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

Excused: 1 - Jones

A motion was made by Councilor Grout that this matter be Amended. Councilor Grout moved Amendment No. 13. Councilor Grout withdrew her motion.

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan moved Amendment No. 14. The motion carried by the following vote:

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

Excused: 1 - Jones

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 1 to Amendment No. 15. Councilor Fiebelkorn withdrew her motion.

A motion was made by Councilor Peña that this matter be Amended. Councilor Peña moved Amendment No. 15. Councilor Peña withdrew her motion.

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 1 to Amendment No. 16. The motion failed by the following vote:

For: 2 - Davis, and Fiebelkorn

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

Excused: 1 - Jones

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan moved Amendment No. 16. The motion carried by the following vote:

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

Excused: 1 - Jones

A motion was made by Councilor Fiebelkorn that this matter be Amended. Councilor Fiebelkorn moved Amendment No. 17. This motion was withdrawn.

A motion was made by Councilor Peña to appeal President Davis's decision to allow Amendment No. 17 to be heard by the Council.

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

Against: 3 - Benton, Davis, and Fiebelkorn

Excused: 1 - Jones

A motion was made by Councilor Benton that the Rules be Suspended for the purpose of allowing Amendment No. 18 to be heard by the Council. The motion carried by the following vote:

For: 6 - Benton, Davis, Fiebelkorn, Grout, Lewis, and Peña

Against: 2 - Bassan, and Sanchez

Excused: 1 - Jones

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 18. The motion carried by the following vote:

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

Excused: 1 - Jones

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

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

Excused: 1 - Jones

6. COMMUNICATIONS AND INTRODUCTIONS

7. REPORTS OF COMMITTEES

Finance and Government Operations Committee - April 10, 2023

Land Use, Planning and Zoning Committee - April 12, 2023

9. ANNOUNCEMENTS

12. APPEALS

- a. [AC-23-9](#) PR-2021-006366, VA-2023-00021, BP-2022-30010: Peggy Norton, on behalf of the North Valley Coalition, appeals the Site Plan-Administrative decision to approve a Site Plan for all or a portion of LOT 1, TRACT 112-A-2 BLOCK 2, Douglas MacArthur Subdivision zoned MX-M, located at 5307 4th Street, NW containing approximately 1.4319 acre(s). (F-14)

A motion was made by Councilor Benton to Reject the Land Use Hearing Officer Recommendation and place this matter on the May 1, 2023 Council agenda for a full hearing. The motion carried by the following vote:

For: 7 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, and Peña

Against: 1 - Sanchez

Excused: 1 - Jones

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

- a. [EC-23-266](#) Mayor's reappointment of Mr. Kyle J. Tapaha to the Commission on American Indian and Alaska Native Affairs
- A motion was made by Vice-President Grout that this matter be Confirmed. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez
- Excused:** 1 - Jones
- b. [EC-23-267](#) Second Supplemental Agreement with GuideHouse for ARPA Fund Management Services
- A motion was made by Vice-President Grout that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez
- Excused:** 1 - Jones
- d. [EC-23-269](#) Approval of the Risk First Supplemental Agreement to add funds for Outside Counsel Legal Services between the Law Office of Jonlyn M. Martinez 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:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez
- Excused:** 1 - Jones
- *g. [EC-23-274](#) Mayor's Recommendation of Award (ROA) to PinnacleWest Investments, CBRE, Godfrey Appraisal Services and Valbridge Property Advisors for "Appraisal Services"
- A motion was made by Vice-President Grout that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez
- Excused:** 1 - Jones
- h. [O-23-69](#) Amending The Short-Term Rental Ordinance, Section 13-19-1 Through 13-19-8 Of The Albuquerque City Code, In Order To Require All Short-Term Rental Units To Have A Local Property Manager Available To Respond To Maintenance And Security Concerns; Limit Short-Term Rental Permits To Three Per Natural Person; Limit The Number Of Short-Term Rental Permits Issued City-Wide To No More 1,200; And Increasing The Civil Penalties For Noncompliance With This Ordinance, As Amended (Benton, Fiebelkorn by request)
- A motion was made by Vice-President Grout that this matter be Postponed to May 15, 2023. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez

Excused: 1 - Jones

- i. [R-22-75](#) Establishing A Tip Line Program Specifically For The Reporting Of Illegally Used Or Possessed Firearms, Adjusting Fiscal Year 2023 Appropriations To Support The Program (Sanchez)
- A motion was made by Vice-President Grout that this matter be Postponed to May 1, 2023. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez

Excused: 1 - Jones

- *j. [R-23-116](#) 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 Department Of Arts & Culture In Fiscal Year 2023 (Grout, by request)
- A motion was made by Vice-President Grout that this matter be Passed. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez

Excused: 1 - Jones

- k. [R-23-121](#) Directing The Department Of Family And Community Services To Enter Into A Memorandum Of Understanding With Bernalillo County To Allocate Funds To The Metropolitan Detention Center For Opioid Treatment And Recovery (Peña)
- A motion was made by Vice-President Grout that this matter be Postponed to May 15, 2023. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez

Excused: 1 - Jones

- l. [R-23-124](#) Approving Two Awards From Bernalillo County Beginning In Fiscal Year 2023 (Peña, by request)
- A motion was made by Vice-President Grout that this matter be Passed. The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, Peña, and Sanchez

Excused: 1 - Jones

10. FINANCIAL INSTRUMENTS

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

- c. [EC-23-268](#) Mayor's Recommendation of Award to Katharsis Media INC for "Educational Access Channel Programming"

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

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

Excused: 1 - Jones

e. [EC-23-271](#)

Mayor's Recommendation of Award (ROA) to Windfire Production Services for "Public Access Programming and Facility Resources Management"

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

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

Excused: 1 - Jones

f. [EC-23-273](#)

Mayor's Recommendation of Award (ROA) to Sopapilla Productions and ProView Networks for "Local Origination Channel Programming"

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

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

Excused: 1 - Jones

m. [R-23-125](#)

Approving And Authorizing A Grant Application To The U.S. Department Of Housing And Urban Development For The 2023 Continuum Of Care Grant And Providing An Appropriation To The Department Of Family And Community Services, For Fiscal Year 2023 And Fiscal Year 2024 (Fiebelkorn, by request)

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

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

Excused: 1 - Jones

a. [OC-23-26](#)

F/S Policy Brief - Repealing No-Cruising Legislation

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

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

Excused: 1 - Jones

A motion was made by Councilor Peña that the Rules be Suspended for the purpose of allowing OC-23-26 to be adopted the same evening it's substituted. The motion carried by the following vote:

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

Excused: 1 - Jones

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

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

Excused: 1 - Jones

14. FINAL ACTIONS

- a. [M-23-9](#) Urging The New Mexico State Legislature To Consider Adoption Of The Lowrider As The Official State Car In The 2024 State Legislative Session (Peña)

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

For: 7 - Bassan, Benton, Davis, Fiebelkorn, Grout, Lewis, and Peña

Against: 1 - Sanchez

Excused: 1 - Jones

- b. [R-22-85](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 3709 Lombardy Rd NW 87105, AKA: 3711 Lombardy Rd NW 87105 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 Peña that this matter be Postponed to May 15, 2023. The motion carried by the following vote:

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

Excused: 1 - Jones

- c. [R-23-103](#) F/S Directing The Human Resources And Finance And Administrative Departments To Evaluate Bilingual Pay Differential Programs For City Employees (Peña)

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

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

Excused: 1 - Jones