

**Notice of Decision
City Council
City of Albuquerque
January 10, 2024**

AC-23-18 PR-2023-008504 VA-2023-00102 VA-2023-00263: Rafael Juarez appeals the Zoning Hearing Examiners decision to Approve a conditional use to allow a horse in an R-1B zone (Residential) zone ("Application") upon the real property located at 900 Alta Vista CT SW

Decision

On January 8, 2024, by a vote of 9 FOR 0 AGAINST, the City Council voted to accept the LUHO recommendation and findings.

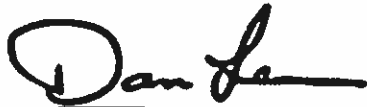
IT IS THEREFORE ORDERED THAT THIS APPEAL IS DENIED, THE DECISION OF THE ZONING HEARING EXAMINER IS UPHELD, AND THE CONDITIONAL USE IS APPROVED.

THE ZONING HEARING EXAMINER'S DECISION IS MODIFIED SO THAT CONDITIONS "A," "B," AND "D" SHALL BE FULLY IMPLEMENTED BY THE APPLICANTS NO LATER THAN MARCH 30, 2024. CONDITION "C" SHALL BE FULLY IMPLEMENTED BY AUGUST 30, 2024.

Attachments

1. Land Use Hearing Officer's Findings and Recommendation
2. Action Summary from the January 8, 2024 City Council Meeting

A person aggrieved by this decision may appeal the decision to the Second Judicial District Court by filing in the Court a notice of appeal within thirty (30) days from the date this decision is filed with the City Clerk.



Dan Lewis, President
City Council

Date: 1/10/2024

Received by: 
City Clerk's Office

Date: 1-10-2024

X:\CL\SHARE\CL-Staff\Legislative Staff\Reports\LUHO\2023 LUHO Documents\DAC-23-18.doc

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CITY OF ALBUQUERQUE
LAND USE APPEAL UNDER THE IDO
BEFORE AN INDEPENDENT
LAND USE HEARING OFFICER

29
30
31
32
33
34
35
36
37

APPEAL NO. AC-23-18

PR-2023-008504; VA-2023-00102; VA-2023-00263

Rafael Juarez, Appellant,

and,

Maria Elena Barboa-Reyes, agent for property owner Patsy
Garcia-Barboa, Appellees.

PROPOSED DECISION

INTRODUCTION
RELEVANT BACKGROUND
STANDARD OF REVIEW
DISCUSSION
PROPOSED FINDINGS

I. INTRODUCTION

This is an appeal from the Zoning Hearing Examiner's (ZHE) decision approving a conditional use permit to allow the keeping of a horse on a R-1B zoned property. Under the IDO, with a conditional use permit, agricultural animals (horses and cows) can be kept on certain residentially zoned property if the property contains at least one-half acre of land. In this appeal case, the ZHE determined that Patsy Garcia-Barboa-Reyes and her daughter, Maria Elena Barboa-Reyes (Applicants) satisfied all the relevant IDO's requirements for boarding a single horse on their property. Although the Applicants met the IDO requirements to keep a

horse on their property, the ZHE required that the Applicants also meet specific conditions designed to moderate any harmful effects the horse might have on the neighbors such as smell and the attraction of flies.

The Appellant, Rafael Juarez (Appellant), owns the residential dwelling and lot that abuts the Applicants' lot on the North side. The Appellant objects to the horse and argues that the horse smells, because the horse's stall is not kept clean, attracts excessive amounts of flies, and ultimately adversely impacts him. The Appellant also contends that the Applicants have not met the conditions imposed by the ZHE.

As explained below, the Appellant has not established that the ZHE erred under the IDO or with the facts in approving the application. I also find that the Appellant's contentions regarding the lack of care of the horse, and the accumulation of horse manure are not supported by the facts in the record. Moreover, the record reflects that the ZHE's analysis and decision, are well reasoned and supported by the IDO and the facts in the record. In addition, I find that the additional conditions set by the ZHE to moderate any alleged smells and increase in flies caused by the horse are rational and reasonable and address Appellant's concerns sufficiently. Notably, under the ZHE's decision, the conditions of approval need not be fully met until August 30, 2024. Under the IDO, Appellant's appeal should be denied, but I recommend that the City Council require that the Applicants fully implement three of the four ZHE conditions no later than March 30, 2024, rather than by August 30, 2024.

II. RELEVANT FACTS

The following facts in the record were not disputed by the Appellant or by the

Applicants. The residential property on which the horse is kept is at 900 Alta Vista Court, SW and is zoned R-1B for residential uses under the IDO [R. 34-37]. The subject property on which the horse is kept contains four small lots (Lots 14-17 of the Vista Alta Addition) and together they comprise just over one-half acre of land [R. 034-037 and 066].

The record shows that the Applicants have boarded the horse on the residential property since at least 2015, and that their family routinely cared for animals on the land for decades, and that they believed the horse was “grandfathered in” under the IDO. [R. 218]. The evidence in the record further shows that the Appellant and the Applicants have been feuding, mostly over the horse, which is the subject of this appeal, since at least 2015 [R. 114-128]. Apparently, the Appellant has filed at least eight complaints with the Animal Welfare Department alleging that the horse is not well cared for, and that the horse’s manure is not picked up regularly [R. 127]. On February 28, 2023, the city Code Enforcement Division issued a code violation to the Applicants for keeping an unpermitted horse on her property [R. 056]. The Code Enforcement Officer who issued the violation advised the Applicants that they have until March 14, 2023, to apply for a conditional use permit [R. 057]. Soon after receiving the code violation notice, the Applicants applied for a conditional use permit to keep the horse [R. 034]. After three deferrals, on August 15, 2023, the ZHE held a public quasi-judicial hearing on the merits of the application [R. 214-227]. A decision approving the conditional use application with several specific conditions was issued by the ZHE on August 30, 2023 [R. 004-008].

The Appellant filed a timely appeal on September 15, 2023 [R. 025]. A Land Use appeal hearing was held on November 30, 2023.

III. STANDARD OF REVIEW

A review of an appeal under the IDO is a whole record review to determine whether the decision appealed was fraudulent, arbitrary, or capricious under the IDO; or whether the decision is not supported by substantial evidence; or if in approving the application, City Staff erred in applying the requirements of the IDO, policy, or regulation [IDO, § 6-4(V)(4)]. The Land Use Hearing Officer (LUHO) has been delegated the authority by the City Council to make findings and to propose a disposition of an appeal, including whether the decision should be affirmed, reversed, or otherwise should be modified to bring the decision into compliance with the standards and criteria of the IDO. The City Council has further delegated authority to the LUHO to remand appeals independently and directly for reconsideration or for further review if a remand is necessary to clarify or supplement the record or *if* a remand will expeditiously dispose of the matter [IDO, § 14-16-6-4(V)(1)(c)4].

IV. DISCUSSION

In this appeal, the Appellant essentially made the same arguments he made at the ZHE hearing [R. 218-219]. These arguments were fully vetted and considered by the ZHE. The Appellant generally contends that the horse, its manure, and urine excrement smell bad, attracts flies, keeping him from recreating in his back yard [R. 027].

The Applicant (Ms. Maria Elena Barboa-Reyes) argues that she has placed multiple glue fly strip traps in and around the horse stall to keep the flies down and she picks up the horse's excrement manure daily and places it in a dedicated trash bin with a lid. The Applicant further testified that she believes the ZHE gave her one full year to meet all the conditions of

105 approval, and that she fully intends to meet each condition within that time frame. After
106 hearing arguments, reviewing the record and the relevant IDO provisions, as stated above, I
107 respectfully find that the Appellant has not shown that the ZHE erred in any manner in
108 approving the conditional use application as required by IDO, § 6-4(V)(4).

109 Under the IDO, “animal keeping” of horses is considered an accessory use in an R-1B
110 zone, and to keep a horse one must obtain conditional use approval [IDO, § 4-3(F)(3)(d)]. In
111 addition, under the IDO, keeping a horse on residentially zone land requires that the lot on
112 which the animal will be kept contains “*at least ½ acre of gross land area*” and that the number
113 of such animals does not exceed “*1 cow or horse for every 10,000 square feet of net lot area...*”
114 [IDO, § 4-3(F)(3)(d)]. In addition, a horse or a cow cannot be located within “*20-feet in any*
115 *direction of any residential dwelling...*” [IDO, § 4-3(D)(3)(c)]. It is undisputed that the
116 Applicant’s property and horse stall meet all of these IDO criteria. The Applicants’ property
117 exceeds one-half acre in gross area, and the horse and the horse stall are situated at least 50-
118 feet from both the Appellant’s and the Applicants’ dwellings [**R. 167**]. The Appellant did not
119 challenge these facts.

120 Next, among the criteria for approving a conditional use application, and relevant to
121 this appeal, it must be shown that the horse “will not create *significant adverse impacts* on
122 adjacent properties...” (Emphasis added) [IDO, § 6-6(A)(3)(c)]. Appellant has not shown that
123 the ZHE erred in finding that the horse, with the conditions set, does not create “significant”
124 adverse impacts. Conversely, I find that the facts in the record support that the conditions set
125 by the ZHE in approving the application are designed specifically to mitigate any impacts of
126 the horse on Appellant’s use of his property, will moderate these impacts when fully

implemented, and consequently the use will not create (as the ZHE similarly found) “significant” adverse impacts.

In approving the application, the ZHE set four specific conditions of approval that must be implemented to specifically mitigate or lesson the impacts of the horse, including:

- A. Animal waste must be removed from the yard of the Subject Property, placing it in odor proof waste bins, as often as necessary to avoid any odors from animal waste wafting onto adjacent properties, but in any case, no less than daily.
- B. Flycatching devices must be placed in reasonable quantities in areas on the Subject Property to which the horse has access.
- C. A six-foot tall opaque fence or wall must be built and maintained along the side property line between the Subject Property and the next-door neighbor to the north.
- D. A vegetative buffer between the horse corral and the neighboring property to the north must be built and maintained, using aromatic lavender, sage, or other aromatic plants that are safe for horses.

[R. 008].¹

There is evidence in the record that the Applicants have already placed flycatching devices in the horse stall and that they will continue to do so to reduce the accumulation of flies around the horse [R. 173]. There is also evidence that the Applicants are picking up the horse’s manure waste on a daily basis and disposing it in waste closable trash binds [R. 120, 123, 126, 124]. As indicated above, the Applicant, Barboa-Reyes testified at the appeal hearing that she intends to meet the remaining conditions by August 30, 2024.

Although Appellant argued in the ZHE hearing (and also in the appeal hearing) that the manure is not picked up on a daily basis, the objective evidence in the record contradicts

1. Although the Official Decision does not reference a deadline at which the conditions must be met, city Staff Planner Michael Voss testified at the Land Use Appeal hearing that the Applicants have one-year from the date of approval, or until August 30, 2024, to meet the conditions.

154 his contentions. In reviewing the details of the eight complaints to Animal Welfare in the
155 record, it is clear that Appellant alleged on multiple occasions that the horse and its stall are
156 left unkept, and specifically that the horse's manure is not picked up regularly [R. 114-128].
157 However, with each complaint, there is also a narrative report written by an investigating
158 Animal Welfare officer that disproves these allegations. In nearly all the investigative reports,
159 the investigating Animal Welfare officers reported, for example, that the horse stall is clean
160 and "*there is no horse feces in the corral;*" and the feces were "*only a day's worth and not*
161 *excessive;*" and that there was "*only a couple of piles of feces;*" and that "*the corral was not*
162 *dirty*" with feces [R. 120, 123, 126, 124 respectively].² Although these reports represent
163 snapshots in time, these reports are strong and neutral evidence contradicting Appellant's claims
164 regarding how the horse is kept and cared for. In addition, other than Appellants complaints, there
165 is no objective evidence in the record supporting Appellant's contentions. There is also no
166 objective evidence that the Applicants will not meet all the conditions imposed by the ZHE by
167 August 30, 2024.

168 Given that one of the ZHE conditions requires that the Applicants construct a six-foot
169 opaque fence or wall on the Applicants' side of the side yard boundary between the Appellant's
170 land and the Applicants' land, considering the expense of this condition, a one-year time frame to
171 fulfill that condition is not unreasonable. However, as for the other three conditions, one-year is
172 too long a time frame for the Applicants to fully satisfy these conditions. I find that the City
173 Council should modify the ZHE's decision regarding when the Applicants must fully implement

2. The record shows that each time, the Appellant complained to Animal Welfare, an investigation, and a physical inspection (presumably a surprise inspection) followed to observe the horse and its living conditions [R. 114- 128].

174 ZHE conditions A, B, and D. Because, presumably it is the Spring and Summer months when the
175 flies and manure smells are at their worst, I recommend that the City Council require that ZHE
176 conditions A, B, and D be fully implemented by the Applicants no later than March 30, 2024.

177
178 **V. PROPOSED FINDINGS**

179 1. The appeal is from a decision of the ZHE approving a conditional use application
180 to keep a horse on a residentially zoned property.

181 2. The appellants' appeal is timely filed under § 6-4(V)(3)(a)1.

182 3. The Appellant has standing under IDO, § 6-4(V)(2)(a)(5) to appeal the decision
183 on the basis of proximity—the Appellant owns or resides at the abutting property from the
184 application site.

185 4. The property on which the horse is kept exceeds one-half acre in size.

186 5. The location at which the horse is kept is at least 50-feet from the closest residential
187 dwelling.

188 6. The record supports that the Applicants' property meets all the requirements of the
189 IDO for the keeping of a horse.

190 7. There is substantial evidence in the record supporting the ZHE's decision
191 approving the conditional use application.

192 8. The Appellant has not met his burden to support this appeal under the IDO in that
193 he has not shown that the ZHE erred with the facts or with the IDO requirements for allowing
194 a horse on a residential property.

195 9. The Appellant's claims that the horse is not well-cared for, and that the Applicants

do not pick up and dispose of the horse's manure excrement on a daily basis is not supported by the record.

10. The ZHE set four reasonable and rational conditions of approval of the conditional use application of which if met should mitigate any significant adverse side effects of the horse, if any.

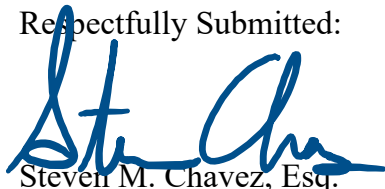
11. The ZHE gave the Applicants one-year from his August 30, 2023, decision to meet all four of the conditions (A-D).

12. The ZHE's decision is modified so that ZHE conditions letters "A," "B," and "D" shall be fully implemented by the Applicants no later than March 30, 2024.

13. ZHE condition letter "C" shall be fully implemented by August 30, 2024.

14. The appeal should be denied.

Respectfully Submitted:



Steven M. Chavez, Esq.
Land Use Hearing Officer
December 8, 2023

Copies to:

City Council
Appellants
Appellees/ Applicants
Planning Staff

Notice Regarding City Council Rules

When the Council receives the Hearing Officer's proposed disposition of an appeal, the Council shall place the decision on the agenda of the next regular full Council meeting provided that there is a period of at least 10 days between the receipt of the decision and the Council meeting. The parties may submit comments to the Council through the Clerk of the Council regarding the Hearing Officer's decision and findings provided such comments are in writing and received by the Clerk of the Council and the other parties of record four (4) consecutive days prior to the Council "accept or reject" hearing. Parties submitting comments in this manner must include a signed, written

228 attestation that the comments being submitted were delivered to all parties of record within this
229 time frame, which attestation shall list the individual(s) to whom delivery was made. Comments
230 received by the Clerk of the Council that are not in conformance with the requirements of this
231 Section will not be distributed to Councilors.



City of Albuquerque

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

Action Summary

City Council

Council Vice-President, Renée Grout, District 9

Louie Sanchez, District 1; Joaquín Baca, District 2

Klarissa J. Peña, District 3; Brook Bassan, District 4

Dan Lewis, District 5; Nichole Rogers, District 6

Tammy Fiebelkorn, District 7, Dan Champine, District 8

Monday, January 8, 2024

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-SIXTH COUNCIL - FIRST 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

Councilor Champine led the Pledge of Allegiance in English.

Councilor Baca led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

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

b. Election of President and Vice-President

Councilor Grout opened the floor for nominations for Council President.

Councilor Bassan nominated Councilor Lewis.

Councilor Lewis was elected President by the following 8-1 vote:

For:

Joaquin Baca

Brook Bassan

Dan Champine

Renee Grout

Dan Lewis

Klarissa Peña

Nichole Rogers

Louie Sanchez

*Against:
Tammy Fiebelkorn*

Councilor Grout opened the floor for nominations for Council Vice-President.

Councilor Peña nominated Councilor Grout.

Councilor Grout was elected Vice-President by unanimous vote.

c. Election of Chair of the Committee of the Whole

Councilor Grout opened the floor for nominations for Chair of the Committee of the Whole.

Councilor Baca nominated Councilor Peña.

Councilor Peña was elected Chair of the Committee of the Whole by unanimous vote.

d. Approval of Committee Appointments

A motion was made by Vice-President Grout that the rules be suspended for the purpose of deferring the Approval of Committee Appointments to the January 22, 2024 Council meeting, and the current make-up of the Council Committees remain in place until the new Committee Appointments are approved. 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

December 4, 2023

6. COMMUNICATIONS AND INTRODUCTIONS

7. REPORTS OF COMMITTEES

Finance and Government Operations Committee - December 11, 2023

Land Use, Planning and Zoning Committee - December 13, 2023

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

- a. [EC-23-391](#) Mayor's appointment of Dr. Michael Wartell to the Personnel Board**

A motion was made by Vice-President Grout that this matter be Postponed to January 22, 2024. The motion carried by the following vote:

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

b. [EC-23-406](#)

Mayor's Recommendation of Award to SB Friedman Development Advisors, Sites Southwest LLC, Pland Collaborative (Formerly MRWM Landscape Architects), Toole Design Group, LLC, Stoss Landscape Urbanism, HatchForm, LLC, and Tierra ROW Services Ltd. for "Redevelopment 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

c. [EC-23-407](#)

Terminal Building Lease and Operating Agreement between the City of Albuquerque and United Airlines, Inc. ("United Airlines")

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-23-408](#)

Mayor's appointment of Ms. Teresa Geoffrion-Redd to the Personnel 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

e. [EC-23-409](#)

Mayor's appointment of Mr. Mikhail Ganadonergro 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: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

f. [EC-23-410](#)

Mayor's appointment of Mr. Dillon Shije 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: 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

g. [EC-23-411](#)

Mayor's appointment of Mr. Scott J. Steffen to the Technical Standard Committee

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

h. [EC-23-412](#)

Mayor's re-appointment of Ms. Deborah Kuidis to the Public Safety Tax 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

i. [OC-23-47](#)

Appointment of Mr. Shama E. Newton to the Civilian Police Oversight 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

***j.** [O-23-95](#)

Adopting A Uniform Administrative Code And Technical Codes Prescribing Minimum Standards Regulating The Construction, Alteration, Moving, Repair And Use And Occupancies Of Buildings And Structures And Building Service Equipment And Installations Including Plumbing, Swimming Pools, Electrical, Mechanical, Signs, Solar, Energy Conservation, Building Conservation And The Abatement Of Dangerous Buildings Within The City Of Albuquerque; Providing For The Issuance Of Permits And Collecting Fees Therefore; Repealing Chapter 14, Article 1, ROA 1994, The Present Uniform Administrative Code And Technical Codes Including The Building Code, The Plumbing Code, The Swimming Pool Code, The Mechanical Code, The Solar Energy Code, The Electrical Code, Providing For Penalties For Violation Of The Code (Fiebelkorn, by request)

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

9. ANNOUNCEMENTS

10. FINANCIAL INSTRUMENTS

11. APPEALS

a. [AC-23-18](#)

PR-2023-008504 VA-2023-00102 VA-2023-00263: Rafael Juarez, appeals the Zoning Hearing Examiners decision to Approve a

conditional use to allow a horse in an R-1B zone (Residential) zone ("Application") upon the real property located at 900 Alta Vista CT SW

A motion was made by Councilor Peña that this matter be To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

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

12. GENERAL PUBLIC COMMENTS

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

14. FINAL ACTIONS

- *a. [R-23-196](#) Amending The Level A Community Framework Plan For Mesa Del Sol To Change The Allowable Maximum Building Height From 80-Feet To 110-Feet And Allow NR-GM Land Uses On Specific Properties In The Employment Center On A Case-By-Case Basis As Approved By The EPC (Grout, by request)

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

- *b. [R-24-2](#) Establishing Federal Programming And Policy Priorities For The City Of Albuquerque For Federal Fiscal Years 2024/2025 (Fiebelkorn, Peña, Bassan)

A motion was made by Councilor Peña that this matter be Postponed to January 22, 2024. The motion carried by the following vote:

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

- *c. [M-24-1](#) Urging The New Mexico State Legislature To Consider Changes To New Mexico's Criminal Justice Pretrial Detention System That Has Created An Unacceptable Level Of Lawlessness In And Throughout The Albuquerque Area And The Council Urges State Legislative Leaders To Move Such Proposals Through The Committee System And Allow Up Or Down Votes On The Floors Of The House And Senate (Champine)

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 Champine that this matter be Do Pass as Amended. The motion carried by the following vote:

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

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

- a. [EC-24-1](#) Veto Of R-23-197 Creating A Joint City/County Working Group To Improve The Operation Of The Albuquerque-Bernalillo County Joint Air Quality Control Board (Davis)

Veto sustained. No motion or votes taken.