



# 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*

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Monday, November 20, 2023

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

City of Albuquerque Government Center

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#### TWENTY-FIFTH COUNCIL - FORTY-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

President Davis 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

November 8, 2023

#### 6. COMMUNICATIONS AND INTRODUCTIONS

#### 7. REPORTS OF COMMITTEES

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

- a. [EC-23-358](#) Declaring 1250 Menaul NE Not Essential for Municipal Purposes

A motion was made by Vice-President Grout 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-23-381](#)

Office of Equity and Inclusion Performance Attributes and Measurements

**A motion was made by Vice-President Grout 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

**c.** [EC-23-382](#)

Approval of the Risk First Supplemental Agreement to add funds for Outside Counsel Legal Services Between Holland & Hart, LLP 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 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

**e.** [EC-23-385](#)

Age-Friendly Quarterly Update for Q4 FY 2023

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

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

**f.** [EC-23-386](#)

Mayor's Recommendation of Award to Medcor, Inc for "Telephonic Nurse Triage"

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

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

**g.** [EC-23-388](#)

Authorization to Supplement Social Service Contracts with TenderLove Community Center and ABQ FaithWorks to Increase Funding to Provide Additional Housing Vouchers

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

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

**h.** [OC-23-43](#)

Office of Inspector General's Annual Report for Fiscal Year 2023

**A motion was made by Vice-President Grout 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

- i. [O-23-85](#) Amending The Albuquerque Alcoholic Liquor Ordinance To Modify The Definition Of A “Public Celebration” (Davis)  
**A motion was made by Vice-President 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. [R-23-159](#) Amending Bill Number R-13-220, Enactment Number R-2013-114, Titled: Establishing A Policy For The Timeframes For Purging Of License Plate Reader Records By The Albuquerque Police Department; To Extend The Time Period The Albuquerque Police Department May Keep Information From License Plate Readers Before Purging The Information (Grout, by request)  
**A motion was made by Vice-President Grout that this matter be Postponed to December 4, 2023. The motion carried by the following vote:**  
**For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- k. [R-23-165](#) Approving And Authorizing The Gary John Gartshore Estate Distribution And Providing An Appropriation To The City Of Albuquerque Animal Welfare Department In 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:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

### 13. APPROVALS

- d. [EC-23-384](#) Lease Agreement between United Association of Journeymen and Apprentices in the Plumbing and Pipefitting Industry, DBA: UA Local Union No. 412 of New Mexico, a non-profit company and the City of Albuquerque  
**A motion was made by Vice-President Grout that this matter be Postponed to December 4, 2023. The motion carried by the following vote:**  
**For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

### 9. ANNOUNCEMENTS

### 10. FINANCIAL INSTRUMENTS

- a. [O-23-90](#) F/S Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Taxable Industrial Revenue Bond (Maxeon Project), Series 2024 In The Maximum Principal Amount Of \$2,400,000,000 To

Provide Funds To Finance The Acquisition, Construction, Development, Equipping, And Improvement Of A Solar Cell And Solar Panel Manufacturing Facility; Authorizing The Execution And Delivery Of An Indenture, Lease Agreement, Bond Purchase Agreement, Bond, And Other Documents In Connection With The Issuance Of The Bond And The Project; Making Certain Determinations And Findings Relating To The Bond And The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Davis, by request)

**A motion was made by President Davis 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 President Davis that this matter be Passed as Substituted. The motion carried by the following vote:**

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

**b.** [O-23-91](#)

F/S Approving A Project For The Benefit Of Maxeon New Mexico Holdings, 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, Construction, Redevelopment, Renovation And Rehabilitation Of A Solar Cell And Solar Panel Manufacturing Facility Located 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; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Davis, by request)

**A motion was made by President Davis 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 President Davis that this matter be Passed as Substituted. The motion carried by the following vote:**

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

## **14. FINAL ACTIONS**

**\*g.** [R-23-190](#)

A Resolution Relating To The Proposed Agreement Between The City Of Albuquerque's Economic Development Department And The State Economic Development Department To Accept A Grant For An Advanced Waste Water Facility At Mesa Del Sol (Davis, by request)

**A motion was made by President 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-23-93](#)

Renaming The Open Space Trust Fund In Honor Of Associate Chief Administrative Officer, Former City Attorney, And Former City Councilor Robert “Bob” M. White, JD. (Benton and Jones)

**A motion was made by Councilor 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

## 11. APPEALS

## 12. GENERAL PUBLIC COMMENTS

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

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

**a.** [EC-23-375](#)

Lease Agreement Between the City of Albuquerque and United Athletic Club, a New Mexico limited liability company (“United”)

**A motion was made by Councilor Bassan that the rules be suspended for the purpose of extending the meeting to 12:00 a.m. The motion carried by the following vote:**

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

**Against:** 1 - Jones

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

**For:** 7 - Benton, Davis, Fiebelkorn, Jones, Lewis, Peña, and Sanchez

**Against:** 2 - Bassan, and Grout

**b.** [EC-23-387](#)

Approval of the First Supplemental Agreement to add funds for Outside Counsel Legal Services Between Beveridge & Diamond, P.C. and the City of Albuquerque

**A motion was made by President Davis 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-23-86](#)

Adding A New Part To Chapter 9, Article 6 ROA 1994, Food And

Beverages, To Be Known As The “Albuquerque Raw Milk Ordinance,” Creating A Permit To Allow For The Sale Of Raw Milk And Raw Milk Product In Albuquerque, And Amending Section 9-6-2-3 ROA 1994, The Retailers, Meat Markets, And Wholesalers Ordinance, To Allow For Exemption Of The Sale Of Raw Milk In The City Of Albuquerque (Benton and Peña, by request)

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

**For:** 7 - Bassan, Davis, Grout, Jones, Lewis, Peña, and Sanchez

**Against:** 2 - Benton, and Fiebelkorn

**b.** [R-23-183](#)

Requiring The Department Of Family And Community Services To Plan, Design, And Construct An Outdoor Recreational Space At The Westside Emergency Housing Center. Providing An Appropriation To The Department (Benton, Fiebelkorn, Grout)

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

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

**c.** [R-23-184](#)

F/S Amending Resolution R-23-152 To Establish A Policy Prohibiting Advertising On The Exterior Of Transit Buses And Paratransit Vehicles (Benton)

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

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

**Against:** 1 - Sanchez

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

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

**\*e.** [R-23-185](#)

Commissioning Commemorative Service Plaques And Dedicating Space In City Hall For Honoring City Of Albuquerque City Councilors (Peña)

**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. [R-23-186](#) Concerning The Municipal Runoff Election To Be Held In The City Of Albuquerque, New Mexico, On Tuesday, The Twelfth Day Of December, 2023 (Davis, by request)

**A motion was made by President 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

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