



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, August 5, 2024

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW
City of Albuquerque Government Center

TWENTY-SIXTH COUNCIL - THIRTEENTH 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

4. ADMINISTRATION QUESTION & ANSWER PERIOD

5. APPROVAL OF JOURNAL

June 17, 2024

6. COMMUNICATIONS AND INTRODUCTIONS

7. REPORTS OF COMMITTEES

Deferrals/Withdrawals

- f. [O-24-21](#) C/S Amending Article 12 Of Chapter 13 Of The Revised Ordinances Of Albuquerque ("The Albuquerque Minimum Wage Ordinance") (Rogers, by request)

A motion was made by Councilor Rogers that this matter be Postponed to

August 19, 2024. The motion failed by the following vote:

For: 4 - Baca, Fiebelkorn, Rogers, and Sanchez

Against: 5 - Bassan, Champine, Grout, Lewis, and Peña

- i. [O-24-25](#) Amending Articles XIII And XVI Of The City Charter Relating To Elections And Public Campaign Financing (Baca, by request)

A motion was made by Councilor Baca that this matter be Postponed to September 16, 2024. The motion carried by the following vote:

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

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

- a. [EC-24-157](#) Community Planning Area Assessment Report - East Gateway ABQ CPA

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

- b. [EC-24-158](#) Approval of the West Mesa Ridge A Development Agreement with YES Housing, Inc. to Utilize Housing Forward Funds Towards the New Construction of an Affordable Rental Housing Project

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-24-159](#) Community Planning Area Assessment Report - Central Albuquerque CPA

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

- d. [EC-24-172](#) Request for Approval of Extension of Audit Services Contract

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

- e. [EC-24-173](#) Mayor's appointment of Mr. Esteban A. Aguilar Jr. 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

- f. [EC-24-174](#) Mayor's appointment of Mr. Don Harris to the Balloon 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. [OC-24-13](#) Appointment of Mr. Robert Cornish 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

- h. [O-24-32](#) Amending Chapter 14, Article 23 Related To Processes Associated With The Demolition Of Buildings Or Structures (Bassan, by request)

A motion was made by Vice-President Grout that this matter be Postponed to August 19, 2024. The motion carried by the following vote:

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

- i. [R-24-53](#) Approving And Authorizing The Acceptance Of Grant Funds From The New Mexico State Highway And Transportation Department And Providing An Appropriation To The Parks And Recreation Department In Fiscal Year 2024 And 2025 (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

- j. [R-24-67](#) Amending R-24-8, The Adopted Capital Implementation Program Of The City Of Albuquerque, Related To The Location Of The Westside Sports Complex (Sanchez)

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

- *a. [O-24-33](#) Accepting The Investment-Grade Audit Report And Approving The Energy Savings Performance Contract By And Between The City Of Albuquerque And Yearout Energy Services Company, LLC, Subject To City Council Approval Of A Separate Financing Transaction To Finance The Costs Of The Energy Performance Contract (“EPC”); Authorizing The Execution And Delivery Of The EPC And Other Agreements And Documents In Connection With The EPC; Ratifying Action Previously Taken In Connection With The EPC; Repealing All Ordinances And Prior Action In Conflict Herewith; And Related Matters (Peña, by request)

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

- *b. [O-24-34](#) Authorizing The Issuance, Sale And Delivery Of City Of Albuquerque, New Mexico Municipal Infrastructure Gross Receipts Tax Revenue Bonds, Series 2024 In A Principal Amount Not To Exceed \$9,250,000 (The “Series 2024 Bonds”) To Finance The Cost Of Acquiring, Constructing And Improving Energy Efficiency Projects Associated With City Facilities And Paying Expenses Related To Issuance Of The Series 2024 Bonds; Providing For The Payment Of The Bonds From The Revenues Of The 1/16 Of One Percent (0.0625%) Increment Of Municipal Infrastructure Gross Receipts Tax Imposed On All Persons Engaging In Business In The City Pursuant To Section 7-19D-11 NMSA 1978 And City Ordinance No. 14-1992 Adopted March 16, 1992; Providing Other Details Concerning The Bonds And The Series 2024 Bonds; 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; Approving Certain Documents Pertaining To The Series 2024 Bonds; Making Certain Appropriations; And Ratifying Certain Actions Previously Taken (Peña, by request)

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

- a. [AC-24-14](#) PR-2024-009946, RZ-2024-00014: University Heights Neighborhood Association appeals the Environmental Planning Commission (EPC)

decision to Approve a Zoning Map Amendment from R-ML to MX-L for all or a portion of Lots 23 and 24, Block 2, University Heights Addition, located at 201 & 203 Harvard Drive SE, between Silver Avenue SE and Lead Avenue SE, approximately 0.34 acres (the "Subject Site") (K-16-Z)

A motion was made by President Lewis to Reject the Land Use Hearing Officer Recommendation and place this matter on the August 19, 2024 Council agenda for a full hearing. The motion carried by the following vote:

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

Against: 2 - Fiebelkorn, and Rogers

12. GENERAL PUBLIC COMMENTS

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

- a. [EC-24-175](#) Veto Of 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 Overridden. The motion failed by the following vote:

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

Against: 4 - Baca, Fiebelkorn, Peña, and Rogers

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

14. FINAL ACTIONS

- a. [P-24-5](#) Charter Amendment Proposal Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article II Of The City Charter Related To City Council Election Cycles (Peña)

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

For: 3 - Bassan, Peña, and Sanchez

Against: 6 - Baca, Champine, Fiebelkorn, Grout, Lewis, and Rogers

- b. [R-24-65](#) Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article II Of The City Charter Related To City Council Election Cycles (Peña)

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

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

c. [P-24-6](#)

Charter Amendment Proposal Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article II Of The Charter Related To City Council Election Cycles (Peña)

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

For: 0

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

d. [R-24-66](#)

Adopting A Proposition To Be Sent To The Voters At The 2024 General Election, Proposing To Amend Article II Of The Charter Related To City Council Election Cycles (Peña)

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

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

e. [O-24-14](#)

C/S Amending Portions Of The Traffic Code (Chapter 8) And Open Space Lands And Regional Preserves (Chapter 5) Of The Code Of Ordinances To Define And Regulate Electric-Assisted Bicycles, Also Known As E-Bikes, And Other Personal Motorized Modes Of Transportation (Bassan)

A motion was made by Councilor Champine that the rules be suspended for the purpose of extending the meeting to 11:30 p.m. The motion carried by the following vote:

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

Against: 1 - Baca

Excused: 1 - Lewis

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

For: 2 - Baca, and Fiebelkorn

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

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

For: 1 - Fiebelkorn

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

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

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

Against: 1 - Fiebelkorn

f. [O-24-21](#)

C/S Amending Article 12 Of Chapter 13 Of The Revised Ordinances Of Albuquerque (“The Albuquerque Minimum Wage Ordinance”) (Rogers, by request)

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan moved Amendment No. 1. Councilor Bassan Withdrew Amendment No. 1.

A motion was made by Councilor Rogers that this matter be Withdrawn by Sponsor. The motion failed by the following vote:

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

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

A motion was made by Vice-President Grout that this matter be Amended. Councilor Grout moved Amendment No. 2.

A motion was made by Councilor Champine that the rules be suspended for the purpose of extending the meeting to 12:30 a.m. The motion carried by the following vote:

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

Against: 1 - Baca

A motion was made by Councilor Peña that this matter be Postponed to August 19, 2024. The motion carried by the following vote:

For: 5 - Baca, Bassan, Fiebelkorn, Peña, and Rogers

Against: 4 - Champine, Grout, Lewis, and Sanchez

g. [O-24-23](#)

Amending The Traffic Code To Implement Minimum Standards For Shared Active Transportation Programs As They Relate To Operation And Maintenance In The Public Right-Of-Way, Setting Permit Fees, And Directing The City Administration To Update Operations For The Active Transportation Registration Process (Fiebelkorn)

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

Excused: 1 - Lewis

A motion was made by Councilor Fiebelkorn 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

Excused: 1 - Lewis

h. [O-24-24](#)

Amending O-22-47 Related To Transit Security And Equitable Access To Extend The Deadline In Which The Transit Department Will Submit The Referenced Security Study (Fiebelkorn, by request)

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

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

Excused: 1 - Lewis

j. [O-24-29](#)

Adopting A New Part In Chapter 2, Article 6 Of The Revised Ordinances Of Albuquerque, To Create The Route 66 Visitors Center Commission (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: 8 - Baca, Bassan, Champine, Fiebelkorn, Grout, Peña, Rogers, and Sanchez

Excused: 1 - 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: 8 - Baca, Bassan, Champine, Fiebelkorn, Grout, Peña, Rogers, and Sanchez

Excused: 1 - Lewis

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

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

Excused: 1 - Lewis

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

For: 7 - Baca, Bassan, Fiebelkorn, Grout, Peña, Rogers, and Sanchez

Against: 1 - Champine

Excused: 1 - Lewis

k. [O-24-30](#)

Amending Section 9-2-3-16 (A) Of The Heart Ordinance To Create A Heart Ordinance Fund And Dedicate Fees And Fines Exclusively To The Animal Welfare Department (Fiebelkorn)

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

Absent: 1 - Lewis

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

Excused: 1 - Lewis

A motion was made by Councilor Fiebelkorn 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

Excused: 1 - Lewis

A motion was made by Councilor Champine that the rules be suspended for the purpose of extending the meeting to 1:15 a.m. The motion carried by the following vote:

For: 6 - Bassan, Champine, Fiebelkorn, Grout, Peña, and Sanchez

Against: 2 - Baca, and Rogers

Excused: 1 - Lewis

I. [R-24-60](#)

Rescinding Resolutions-23-152 And Resolution-23-184, Establishing A Policy To Allow Advertisements To Be Placed In Appropriate Locations On Transit Vehicles, Establishing An Advertising Revenue Account (Champine)

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

For: 5 - Baca, Bassan, Champine, Grout, and Sanchez

Against: 3 - Fiebelkorn, Peña, and Rogers

Excused: 1 - Lewis

*m. [R-24-71](#)

Amending The Rank 3 Master Plan For The Double Eagle II (DEII) Airport To Allow Non-Aeronautical Land Uses, Including Commercial, Lodging, Light Industrial, Education, Film Studio, And Renewable Energy Generation, As Permissive Uses Under A New Section Of The Master Plan "3.7 Appropriate Land Uses." (Sanchez, by request)

A motion was made by Councilor Champine that the rules be suspended for the purpose of extending the meeting to 1:30 a.m. The motion carried by the following vote:

For: 5 - Champine, Fiebelkorn, Grout, Peña, and Sanchez

Against: 2 - Baca, and Rogers

Excused: 2 - Bassan, and Lewis

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

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

Excused: 1 - Lewis

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

For: 6 - Bassan, Champine, Fiebelkorn, Grout, Peña, and Sanchez

Against: 2 - Baca, and Rogers

Excused: 1 - Lewis

There being no further business, this City Council meeting adjourned at 1:18 a.m.