



City of Albuquerque

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

Agenda City Council

Council President, Isaac Benton, District 2
Council Vice-President, Dan Lewis, District 5

Louie Sanchez, District 1; Klarissa J. Peña, District 3
Brook Bassan, District 4; Pat Davis, District 6
Tammy Fiebelkorn, District 7; Trudy E. Jones, District 8
Renee Grout, District 9

Monday, November 21, 2022

5:00 PM

Via Zoom Video Conference

TWENTY-FIFTH COUNCIL - TWENTIETH MEETING

Public Comment Sign Up for November 21, 2022 City Council Meeting

To provide public comments to the Council virtually, everyone must sign up by 4:00 pm on the day of the meeting by completing this web form <https://www.cabq.gov/nov-21-2022-comment>. For members of the public without internet service, you may call our office at 505-768-3100 for assistance.

The Council will take General Public Comment on any topic and on the meeting's specific agenda items, from up to a maximum of 30 people, on a first-come first-serve basis. Per Council rules, persons signing up to speak before the Council can sign up for General Public Comment and up to two agenda items per meeting. If speaking on a specific agenda item, comments must be germane to the item.

General Public Comment is near the beginning of the meeting. If you sign up to speak on a specific agenda item, your name will be called when that item is heard.

Note: Participants must sign up for public comment with the Zoom username or phone number that they will be entering the Zoom meeting with so that they can be identified when accessing the meeting. Persons who do not provide this information will not be allowed into the meeting, but may still view the meeting via YouTube live or in Zoom Webinar.

Participants will be an Attendee in the Zoom Webinar until the public comment period begins. The Zoom moderator will move you into the meeting room as Panelist when it's your turn to provide public comments.

Access the Zoom Webinar by following this link, entering the room information manually, or by calling in via telephone:

- <https://cabq.zoom.us/j/83783654755>
- Webinar ID: 837 8365 4755
- (669) 900-6833 // 83783654755

Once in the Zoom meeting room, the participants must mute themselves and turn off their camera. The Zoom moderator will unmute and enable cameras (if applicable) at the time their name is called to provide public comment.

Participants will be able to view the meeting via Zoom while waiting for public comments, but participants can also watch on YouTube live at <https://youtu.be/g4l1S7UsVis>. The live streams can be accessed from most smart phones, tablets, or computers. The meetings are closed captioned and you may enable the closed captioning services on your television or device.

If you are watching on YouTube live, please note there is an approximately 10 second lag between the Zoom meeting room and YouTube. Please mute or pause the YouTube live stream once you are in the Zoom meeting room to avoid feedback.

Public comment will be limited to 2 minutes or less, depending on the number of speakers signed up. Your time will start when you begin speaking and you will be informed when your time has concluded, at which point your microphone will be muted and your camera will be turned off.

1. ROLL CALL

2. MOMENT OF SILENCE

Pledge of Allegiance in English and Spanish and any other language as determined by the Council

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

November 7, 2022

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - November 14, 2022

Public Safety Committee - November 15, 2022**Land Use, Planning, and Zoning Committee - November 16, 2022****9. CONSENT AGENDA: {Items may be removed at the request of any Councilor}**

- a. [EC-22-136](#) Legal Department's Quarterly Litigation Report for the 1st Quarter of FY 2021 (Greater than 10,000)
Attachments: [EC-136](#)
- b. [EC-22-140](#) Approval of the Housing and Neighborhood Economic Development Fund 2022 Ten Year Plan
Attachments: [EC-140](#)
- c. [EC-22-142](#) Age-Friendly Quarterly Update for May, June and July 2022
Attachments: [EC-142](#)
- d. [EC-22-143](#) Transmitting the Year End Status Report on Fiscal Year 2022 Objectives
Attachments: [EC-143](#)
- e. [EC-22-144](#) Legal Department's Quarterly Litigation Report for the 4th Quarter of FY 2022 (Greater than 10,000)
Attachments: [EC-144](#)
- f. [EC-22-162](#) Lease Agreement between City of Albuquerque and Albuquerque AMG Specialty Hospital, LLC
Attachments: [EC-162](#)
- g. [EC-22-163](#) Mayor's Recommendation of Engineering Consultants for Developing Operating and Maintenance Manuals
Attachments: [EC-163](#)
- h. [EC-22-164](#) Mayor's Recommendation of Engineering Consultants for City Wide On-Call Engineering Services
Attachments: [EC-164](#)
- i. [EC-22-166](#) Mayor's appointment of Mr. Sean M. Cunniff to the Board of Ethics
Attachments: [EC-166](#)
- j. [EC-22-169](#) Mayor's appointment of Ms. Olivia Fadul to the Americans with Disabilities Act Advisory Council
Attachments: [EC-169](#)
- k. [EC-22-170](#) Mayor's appointment of Mr. Joaquin J. Baca to the Albuquerque

Development Commission

Attachments: [EC-170](#)

- l. [EC-22-171](#) Mayor's appointment of Ms. Deann S. Griego to the Americans with Disabilities Act Advisory Council
Attachments: [EC-171](#)
- m. [EC-22-172](#) Mayor's appointment of Dr. Michael Patrick M. Martin to the Transit Advisory Board
Attachments: [EC-172](#)
- n. [EC-22-173](#) Mayor's appointment of Mr. Ben Garland to the Transit Advisory Board
Attachments: [EC-173](#)
- o. [EC-22-174](#) Naser Alikhani/Alikhani RVT Requests 1200 Hideaway Ln Se Right Of Way Vacation Project# Pr-2022-006708, SD-2022-00117, Vacation Of Public Right-Of-Way For All Or A Portion Of Lot 6, Four Hills Village 21st Installment Zoned R-1D, Located On 1200 Hideaway LN SE Between Stagecoach Rd SE And I-40 Containing Approximately 3.0791 Acre(s)
Attachments: [EC-174](#)
- p. [EC-22-176](#) Mayor's Recommendation of Architectural Consultants RMKM Architecture for Brillante Explora Early Learning Center
Attachments: [EC-176](#)
- q. [EC-22-179](#) Mayor's appointment of Mrs. Jessie Hunt to the Balloon Museum Board of Trustees
Attachments: [EC-179](#)
- r. [EC-22-180](#) Mayor's appointment of Mr. Joseph Perez to the Transit Advisory Board
Attachments: [EC-180](#)
- s. [EC-22-181](#) Mayor's appointment of Ms. Katherine Sullivan to the Transit Advisory Board
Attachments: [EC-181](#)
- t. [OC-22-17](#) The Office of Internal Audit's Annual Report for fiscal year 2022
Attachments: [OC-17](#)
- u. [OC-22-18](#) The Office of Inspector General's Annual Report for fiscal year 2022
Attachments: [OC-18](#)
- v. [OC-22-21](#) Citizens' Independent Salary Commission Appointments
Attachments: [OC-21](#)

- w. [R-22-68](#) Approving And Authorizing The Acceptance Of Grant Funds From U.S. Department Of Agriculture/Natural Resources Conservation Service (NRCS) And Providing An Appropriation To The Parks And Recreation Department In Fiscal Year 2023 (Davis, by request)
Attachments: [R-68](#)
- x. [R-22-69](#) Approving And Authorizing The Acceptance Of Grant Funds Based On The Application From The New Mexico Aging And Long Term Services Department For State Assistance From The New Mexico Local Grown Produce Grant For The Purpose Of Providing Seniors With Nutritious Meals From Food That Is Grown In New Mexico And Providing For An Appropriation To The Department Of Senior Affairs In Fiscal Year 2023 (Jones, by request)
Attachments: [R-69](#)
- y. [R-22-71](#) Approving The FY2023 Audit Plan As Submitted By The Accountability In Government Oversight Committee (Bassan, by request)
Attachments: [R-71](#)

10. GENERAL PUBLIC COMMENTS

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

11. ANNOUNCEMENTS

12. PUBLIC HEARINGS: {Appeals, SAD Protest Hearings}

- a. [AC-22-19](#) PR-2022-007294-VA-2022-00200-VA-2022-00270: Jack C Skinner appeals the Zoning Hearing Examiners decision to Deny a variance of 3 to the required 8 residents in a community residential facility for Lot 1, Block B, Monterey Manor, located at 12105 Sierra Grande Ave NE, zoned R-1C [Subsection 14-16-4-3(B)(8)]

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

- *a. [EC-22-191](#) Approval of FY23 Contracts to Provide Supportive Housing Vouchers for Families and Individuals Experiencing Homelessness
Attachments: [EC-191](#)

14. FINAL ACTIONS

- a. [O-22-37](#) Adding A New Part To Chapter 9, Article 6 ROA 1994, Food And Beverages, To Be Known As The "Albuquerque Market Food Vendor Ordinance", And Establishing A Permitting Fee (Fiebelkorn)
Attachments: [O-37](#)

- b. [O-22-41](#) Amending The Intergovernmental Relations Ordinance To Update Intergovernmental Relations Committee Membership, The Ability Of The Committee To Convene, The Intergovernmental Coordination Responsibilities Of The Committee, Development Of The Federal And State Priorities Resolutions, Review Of Obligations (Fiebelkorn, Peña, Bassan)
Attachments: [O-41](#)
- c. [O-22-43](#) Adopting A New Article In Chapter 9 Of The Revised Ordinances Of Albuquerque 1994, "Health, Safety And Sanitation," To Be Known As The "Safe Outdoor Space Operator's Permit," Establishing A Permit And Permitting Fee (Sanchez, Jones)
Attachments: [O-43](#)
- d. [O-22-44](#) Amending Chapter 8, Article 2, Part 7 Of The Traffic Code, Relating To Pedestrian Safety In Medians And Pedestrian-Vehicle Interactions (Bassan, Benton, by request)
Attachments: [O-44](#)
- e. [O-22-50](#) Approving A Project Involving Craftworks, 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, Renovation, And Improvement Of A Beverage Manufacturing And Distribution Facility 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 Including The Appropriation Of Funds; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Benton, by request)
Attachments: [O-50](#)

[The intent is to defer O-22-50 to the December 5, 2022 Council meeting.]
- f. [O-22-51](#) Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Short-Term Lodgers' Tax Improvement Revenue Bonds, Taxable Series 2022 In An Aggregate Principal Amount Not To Exceed \$3,000,000 For The Purpose Of Studying, Designing, Developing, Constructing, Reconstructing, Rehabilitating, Renovating, Modernizing, Signing, Enhancing And Otherwise Improving Tourist-Related Facilities And Attractions; Providing For The Payment Of The Series 2022 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 2022 Bonds Pursuant To The Supplemental Public Securities Act; Providing For The Terms And Other Details Concerning The Series 2022 Bonds; Providing For Certain Documents Pertaining To The Series 2022 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 2022 Bonds (Benton and Bassan, by request)

Attachments: [O-51](#)

- g. [O-22-52](#) Authorizing The Execution And Delivery Of A Water Project Fund Loan/Grant Agreements By And Between The New Mexico Finance Authority (“Finance Authority”) And The City Of Albuquerque (The “Borrower/Grantee”), Evidencing An Obligation Of The Borrower/Grantee To Utilize The Loan/Grant Amounts Solely For The Following Projects: (1) Relining Of Irrigation Pond At Ladera Golf Course, In The Total Amount Of One Hundred Twenty Thousand Dollars (\$120,000), Including A Loan In The Amount Of Twelve Thousand Dollars (\$12,000); (2) Renovating The Irrigation System At Netherwood Park, In The Total Amount Of Three Hundred Thousand Dollars (\$300,000), Including A Loan In The Amount Of Thirty Thousand Dollars (\$30,000); And (3) Renovating The Irrigation System At Phil Chacon Park, In The Total Amount Of Nine Hundred Fifty Thousand Dollars (\$950,000), Including A Loan In The Amount Of Ninety-Five Thousand Dollars (\$95,000), And Solely In The Manner Described In The Loan/Grant Agreements; Providing For The Pledge And Payment Of The Loan Amount And An Administrative Fee Solely From The Revenues Of The Tax Distributions Received By The Governmental Unit Pursuant To NMSA 1978, § 7-1-6.1, NMSA 1978, § 7-1-6.4, NMSA 1978, § 7-1-6.15, And NMSA 1978, § 7-9-4, As Amended; Certifying That The Loan/Grant Amount, Together With Other Funds Available To The Borrower/Grantee, Is Sufficient To Complete The Project; Approving The Form Of And Other Details Concerning The Loan/Grant Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent With This Resolution; And Authorizing The Taking Of Other Actions In Connection With The Execution And Delivery Of The Loan/Grant Agreement (Davis, Fiebelkorn, and Sanchez, by request)

Attachments: [O-52](#)

- h. [R-22-70](#) Requiring A Transit System Security Incident Response Tactical Plan, Quarterly Reporting Of Security Calls For Service In The Transit System, And Development Of A Long-Term Security Plan, For The Operations And Facilities Of The Albuquerque Transit Department (Peña)

Attachments: [R-70](#)

[The intent is to defer R-22-70 to the December 5, 2022 Council meeting.]

- i. [R-22-73](#) Directing The Animal Welfare Department To Work With The University Of New Mexico Science Center College Of Nursing To Collect Otherwise Disposed-Of Animal Tissues In City-Owned Or City-Sponsored Spay And Neuter Clinics For Donation To The UNM Health Science Center (Fiebelkorn)

Attachments: [R-73](#)

- j. [R-22-79](#) Establishing The City Council's Budget Priorities And Strategies For The Fiscal Year 2024 Operating Budget And The 2023 General Obligation Program (Bassan)
Attachments: [R-79](#)
- *k. [R-22-82](#) Formalizing The City's Urban Tree Canopy Grant Program (Fiebelkorn, Benton)
Attachments: [R-82](#)

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

ATTENTION: The Council will take a dinner break at approximately 7:00 p.m., unless otherwise decided by the Council.

*IF THE PROPER ACTION IS TAKEN BY THE COUNCIL, THESE ITEMS WILL BE PLACED ON TODAY'S AGENDA FOR FINAL ACTION OR DISCUSSION.

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this meeting, please contact the Council Office as soon as possible before the meeting date at 505-768-3100. Those in need of hearing assistance may call 711.

Visit our Website at <http://www.cabq.gov/council>