



City of Albuquerque

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

Agenda 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 3, 2023

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-FIFTH COUNCIL - TWENTY- EIGHTH MEETING

To provide public comments to the Council, in person or virtually, everyone must sign up by 4:00 pm on the day of the meeting by completing this web form: <https://www.cabq.gov/apr-3-2023-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.

Zoom Webinar link and login information:

- <https://cabq.zoom.us/j/88599651196>
- Webinar ID 885 9965 1196
- (669) 900-6833 // 88599651196

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, to stream live on the GOVTV website at <https://www.cabq.gov/culturalservices/govtv>, YouTube at https://youtube.com/live/ShqEMO_2qXc?feature=share, or Zoom Webinar. 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.

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. ADMINISTRATION QUESTION & ANSWER PERIOD****5. APPROVAL OF JOURNAL**

March 20, 2023

6. COMMUNICATIONS AND INTRODUCTIONS**7. REPORTS OF COMMITTEES****8. CONSENT AGENDA: {Items may be removed at the request of any Councilor}**

- a. [EC-23-229](#) Report of FY/22 Outstanding Encumbrances Reappropriated in FY/23
Attachments: [EC-229](#)
- b. [EC-23-230](#) Revenue & Expense Report for First Quarter Fiscal Year 2023 and Quarterly Savings Use Report
Attachments: [EC-230](#)
- c. [EC-23-234](#) Department of Arts & Culture/Progress Report on R-22-53
Attachments: [EC-234](#)
- d. [EC-23-237](#) The Near Heights Community Planning Area (CPA) Assessment Report
Attachments: [EC-237](#)
- e. [EC-23-260](#) Mayor's appointment of Dr. Joseph Galewsky to the Joint Air Quality Board
Attachments: [EC-260](#)
- f. [EC-23-261](#) Mayor's appointment of Dr. Anna N. Nelson to the Metropolitan Parks and Recreation Advisory Board
Attachments: [EC-261](#)
- g. [EC-23-262](#) Mayor's appointment of Ms. Corrina Jaramillo-Feldman to the Open Space

Advisory Board

Attachments: [EC-262](#)

- h. [EC-23-263](#) WSP USA Inc. Uptown Transit Center Joint Development
Attachments: [EC-263](#)
- i. [EC-23-264](#) Approval of the First Supplemental Agreement to add funds for Outside Counsel Legal Services between Robles, Rael & Anaya, P.C. and the City of Albuquerque
Attachments: [EC-264](#)
[Consent to Withdraw- Withdrawn by Administration]
- *j. [EC-23-270](#) Approval of the First Supplemental Agreement to add funds for Outside Counsel Legal Services between Robles, Rael & Anaya, P.C. and the City of Albuquerque
Attachments: [EC-270](#)
- *k. [EC-23-272](#) Lease Agreement between City of Albuquerque and National Alliance on Mental Illness, a non-profit
Attachments: [EC-272](#)
- l. [OC-23-31](#) Appointment of Ms. Rowan Wymark to the Civilian Police Oversight Advisory Board
Attachments: [OC-31](#)
- m. [OC-23-32](#) Appointment of Ms. Leslie Dozzo to the Civilian Police Oversight Advisory Board
Attachments: [OC-32](#)
- n. [AC-23-2](#) PR-2022-007490, VA-2022-00366: Santa Barbara Martineztown Neighborhood Association, appeals the Planning Department granting Dawn Legacy Pointe approval of a Temporary Use Permit for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM
[Consent to Withdraw- Withdrawn by Applicant]
- o. [AC-23-3](#) PR-2022-007490, VA-2022-00367: Albuquerque Boca Limited DBA Crowne Plaza, Agent Rodey Law Firm, appeals the Planning Department granting Dawn Legacy Pointe Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM
[Consent to Withdraw- Withdrawn by Applicant]
- p. [AC-23-4](#) PR-2022-007490, VA-2022-00368: Life ROOTS Inc. NM non-profit corp. Appeals the Planning Department granting Dawn Legacy Pointe Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM
[Consent to Withdraw- Withdrawn by Applicant]
- q. [AC-23-5](#) PR-2022-007490, VA-2022-00370: Sunset Memorial Park, appeals the

Planning Department granting Dawn Legacy Pointe Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM

[Consent to Withdraw- Withdrawn by Applicant]

- r. [AC-23-6](#) PR-2022-007490-VA-2022-00373: Greater Albuquerque Hotel and Lodging Association (GAHLA): appeals the Planning Department granting Dawn Legacy Pointe Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM
[Consent to Withdraw- Withdrawn by Applicant]
- s. [AC-23-7](#) PR-2022-007490, VA-2022-00375: Menaul School appeals the Planning Department granting Dawn Legacy Pointe a Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM
[Consent to Withdraw- Withdrawn by Applicant]
- t. [AC-23-8](#) PR-2022-007490, VA-2022-00377: Albuquerque Hotel Project LLC, Yntema Law firm P.A. appeals the Planning Department granting Dawn Legacy Pointe Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM
[Consent to Withdraw- Withdrawn by Applicant]
- u. [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)
Attachments: [O-69](#)
[Consent to defer O-23-69 to the April 17, 2023 Council meeting.]
- v. [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)
Attachments: [R-75](#)
[Consent to defer R-22-75 to the April 17, 2023 Council meeting.]
- w. [R-23-102](#) Approving And Authorizing The Acceptance And Use Of The Department Of Justice, Office For Victims Of Crime, Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program Award Providing An Appropriation To The Albuquerque Community Safety Department Beginning In Fiscal Year 2023 (Sanchez by request)
Attachments: [R-102](#)
- x. [R-23-117](#) Approving And Authorizing The Filing Of A Grant Application For The

Route 66 Corridor Preservation Program, For Fiscal Year 2023 Through
Fiscal Year 2024 (Peña, Grout)

Attachments: [R-117](#)

9. ANNOUNCEMENTS

10. FINANCIAL INSTRUMENTS

11. GENERAL PUBLIC COMMENTS

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

12. APPEALS

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

- a. [EC-23-265](#) Albuquerque Energy Council FY 2021 and FY 2022 Annual Report

Attachments: [EC-265](#)

14. FINAL ACTIONS

- a. [O-23-70](#) C/S Amending The Albuquerque Alcoholic Liquor Ordinance (Davis)

Attachments: [O-70](#)

[O-70 Approved Committee Substitute](#)

- *b. [R-23-120](#) Approving The Transit Department's Fare Equity Analysis Of The Proposal (O-23-71) For Permanent Zero Fares For Art And Sunvan Service (Davis, Fiebelkorn, and Peña, by request)

Attachments: [R-120](#)

- c. [O-23-71](#) C/S Amending Chapter 7 Article 2, Section 1 Of The Transit Ordinance To Establish The Permanent Zero Fare On Albuquerque Rapid Transit And Zero Fare For Sun Van Service Through The Transit Department's Qualification Process; Expanding Chapter 12 Article 2, Section 19 Of The Criminal Code Related To Offenses Relating To Public Order And Safety (Davis, Fiebelkorn, Peña)

Attachments: [O-71](#)

[O-71 Approved Committee Substitute](#)

- d. [O-23-72](#) Adopting A Text Amendment To The Integrated Development Ordinance For The North 4th Corridor Character Protection Overlay Zone (CPO-9) Small Mapped Area Related To The Applicability Setback And Stepback Requirements (Benton by request)

Attachments: [O-72](#)

- e. [O-23-73](#) Adopting A Text Amendment To The Integrated Development Ordinance For The Northwest Mesa Escarpment View Protection Overlay Zone (VPO-2) Small Mapped Area Related To The Applicability Of Height Restrictions Applied To Structures That Exist Outside Of The VPO-2 Boundary (Lewis by request)
Attachments: [O-73](#)
- f. [O-23-76](#) Applying A Historic Protection Overlay Zone To The East End Addition; Identifying The Distinctive Cultural Significance Of The Area And Providing General Preservation Guidelines (Fiebelkorn by request)
Attachments: [O-76](#)
- g. [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)
Attachments: [R-100](#)
[R-100 Approved Committee Substitute](#)
- h. [R-23-103](#) Directing The City Of Albuquerque To Provide A Bilingual Pay Differential Eligible To City Employees (Peña)
Attachments: [R-103](#)
[A floor substitute for R-23-103 may be moved that adjusts the title as follows: Directing the human resources and finance and administrative departments to evaluate bilingual pay differential programs for city employees]
- *i. [R-23-119](#) Calling For Additional Community Input And A Good Neighbor Commitment By The City For The Proposed Westside Emergency Housing Center Drop Off Located In The Southwest Area Of The City (Peña)
Attachments: [R-119](#)

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.

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