



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

Monday, May 1, 2023

5:00 PM

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

TWENTY-FIFTH COUNCIL - THIRTIETH 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

Councilor Bassan led the Pledge of Allegiance in English.
Councilor Sanchez led the Pledge of Allegiance in Spanish

3. PROCLAMATIONS & PRESENTATIONS

4. ADMINISTRATION QUESTION & ANSWER PERIOD

5. APPROVAL OF JOURNAL

April 17, 2023

6. COMMUNICATIONS AND INTRODUCTIONS

7. REPORTS OF COMMITTEES

Land Use, Planning and Zoning Committee - April 26, 2023

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

- a. [EC-23-258](#) Submission Of The Five-Year Forecast FY2023 To FY2027

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

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

Excused: 1 - Peña

- b. [EC-23-275](#) Revenue & Expense Report for Second Quarter 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: 8 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, and Sanchez

Excused: 1 - Peña

- c. [EC-23-276](#) Approval of Third Supplement to John Stiff and Associates Outside Legal Counsel Services

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

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

Excused: 1 - Peña

- d. [EC-23-277](#) Mayor's appointment of Mr. Dennis F. Armijo Sr. to the Joint Air Quality Board

A motion was made by Vice-President Grout that this matter be Withdrawn by Administration.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

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

Excused: 1 - Peña

- e. [EC-23-278](#) Mayor's re-appointment of Ms. Lovie McGee to the Albuquerque Housing Authority Board

A motion was made by Vice-President Grout that this matter be Withdrawn by Administration.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

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

Excused: 1 - Peña

- f. [EC-23-279](#) City Of Albuquerque, PRD Strategic Planning And Design Requests Wells Park Right Of Way Vacation Within All Or A Portion Of: Rosemont Ave From 5th St To 6th St, Portions Of Block 5 Moore Addition And Block 2 Romero Addition, Zoned NR-PO-A, Located At 6th Street NW, Between Mountain Rd NW And Summer Ave NW Containing Approximately 4.995 Acre(s)

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

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

Excused: 1 - Peña

- g. [EC-23-280](#) Tim Borrer Requests The Lead & Graceland Avenue SE Right Of Way Vacation Within All Or A Portion Of Lots 1 Thru 10, Block 17, Mesa Grande Addition, Zoned MX-L, Located At The Northwest Intersection Of Lead Ave. SE And Graceland Ave. SE, Between Coal Ave. SE And Lead Ave. SE Containing Approximately 0.8824 Acre(s)

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

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

Excused: 1 - Peña

- h. [EC-23-281](#) Mayor's appointment of Nalleli Reyes Garcia to the Airport Advisory Board

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

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

Excused: 1 - Peña

- i. [EC-23-282](#) Mayor's appointment of Ms. Kate C. Krous to the Youth Advisory Council

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

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

Excused: 1 - Peña

- j. [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)

A motion was made by Vice-President Grout that this matter be Postponed to June 5, 2023. The motion carried by the following vote:

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

Excused: 1 - Peña

- k. [R-23-115](#) Adopting The 2023-2027 Consolidated Plan, Program Year 2023 Action Plan And Program Investment Summary For The Expenditure Of Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME) And Emergency Solutions Grant (ESG) Funds; Providing An Appropriation To The Department Of Family & Community Services For 2023 U.S. Department Of Housing And Urban Development (HUD) Entitlement Funds (Bassan, by request)

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

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

Excused: 1 - Peña

9. ANNOUNCEMENTS

10. FINANCIAL INSTRUMENTS

11. GENERAL PUBLIC COMMENTS

12. APPEALS

- a. [AC-23-9](#) PR-2021-006366, VA-2023-00021, BP-2022-30010: Peggy Norton, on behalf of the North Valley Coalition, appeals the Site Plan-Administrative decision to approve a Site Plan for all or a portion of LOT 1, TRACT 112-A-2 BLOCK 2, Douglas MacArthur Subdivision zoned MX-M, located at 5307 4th Street, NW containing approximately 1.4319 acre(s). (F-14)

A motion was made by Councilor Jones that this matter be Remanded to the Planning Department and findings be adopted at the May 15, 2023 meeting. The motion carried by the following vote:

For: 7 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, and Sanchez

Against: 1 - Lewis

Excused: 1 - Peña

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

14. FINAL ACTIONS

- a. [R-23-118](#) Declaring The City's Intent To Collaborate With Albuquerque Public Schools To Create A Program To Prevent Children's Exposure To Trauma And Violence, Mitigate Negative Effects Of Childhood Exposure To Trauma, And To Increase Knowledge And Awareness Of This Issue; Directing The Albuquerque Police Department, Albuquerque Fire And Rescue, And The Albuquerque Community Safety Department To Enact Protocols For First Responder Scenarios That Involve School-Aged Youth (Grout, Sanchez)

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

- b. [O-22-55](#) C/S(3) Amending The City Inspector General Ordinance, Chapter Two, Article Seventeen Of The Revised Ordinances Of Albuquerque (Bassan, by request)
- A motion was made by Councilor Bassan that this matter be Postponed to May 15, 2023. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- c. [O-22-56](#) C/S(3) Amending The Accountability In Government Ordinance, Chapter 2, Article 10 Of The Revised Ordinances Of Albuquerque (Bassan, by request)
- A motion was made by Councilor Bassan that this matter be Postponed to May 15, 2023. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- d. [O-22-59](#) C/S Adopting A New Article In Chapter 13 Of The Revised Ordinances Of Albuquerque 1994, "Business And Occupations," To Be Known As The "Residential Rental Database Ordinance," Establishing An Enrollment Requirement (Fiebelkorn)
- A motion was made by Councilor Fiebelkorn that this matter be Passed. The motion failed by the following vote:**
- For:** 2 - Davis, and Fiebelkorn
- Against:** 7 - Bassan, Benton, Grout, Jones, Lewis, Peña, and Sanchez
- e. [O-23-68](#) C/S Repealing And Replacing The Independent Hearing Office Ordinance And Providing For A Standardized Process For Administrative Appeals; Repealing Ordinances No Longer In Effect Or Superseded (ROA 1994, 6-1-4, 6-2, 7-6, 7-9, And 7-14); Repealing And Replacing The Contractor Debarment Ordinance (ROA 1994, 5-7); Designating The Zoning Hearing Examiner As The Review Body For Solar Rights Hearings; And Revising The Integrated Development Ordinance Related To Zoning Hearing Examiner Duties (Jones, by request)
- A motion was made by Councilor Jones that this matter be Amended. Councilor Jones 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 Jones 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

- f. [O-23-75](#) Amending The Nuisance Abatement Ordinance Chapter 11, Article 1 Of The Revised Ordinances Of Albuquerque, Amending Definitions And Penalties; Amending The Albuquerque Weed And Anti-Litter Ordinance, Chapter 9, Article 8 Of The Revised Ordinances Of Albuquerque, Amending Definitions And Penalties, And Appeal Procedure For Administrative Hearings; Amending The "Heart" Ordinance Chapter 9, Article 2, Amending Definitions, The Hearing Process, Adding A Civil Fine (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

- g. [O-23-78](#) Amending Chapter 7, Article 15, Section 4, Enabling The City To Create Parking Offense For Vehicles With Multiple Automated Speed Enforcement Fines Concurrently In Default; Amending Chapter 8, Article 5, Section 1 Creating A City Code Petty Misdemeanor Offense For Parking A Vehicle On City Streets With Multiple Automated Speed Enforcement Fines Concurrently In Default, And Amending Chapter 8, Article 1, Section 3, Subsection 12 Enabling The City To Immobilize Vehicles After One Outstanding Parking Violation Issued Pursuant To § 8-5-1-43 Repeated Nonpayment Of Automated Speed Enforcement System Fines (Bassan, Benton, and Peña, by request)

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan 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 President Davis that this matter be Amended. President Davis moved Amendment No. 2. 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 Bassan that this matter be Passed as Amended. The motion carried by the following vote:

For: 7 - Bassan, Benton, Fiebelkorn, Grout, Jones, Lewis, and Peña

Against: 2 - Davis, and Sanchez

A motion was made by President Davis that the rules be suspended for the purpose of extending the meeting to 11:00 p.m. The motion carried by the following vote:

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

- h. [O-23-81](#) Amending The Capital Improvement Program Ordinance To Incrementally Increase The Council District Set Aside To \$18 Million By 2029 (Peña, Bassan)

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan 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 Bassan that this matter be Postponed as Amended to June 5, 2023. The motion carried by the following vote:

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

- i. [R-22-92](#) Approving The Menaul Metropolitan Redevelopment Area Plan (Fiebelkorn)

A motion was made by Councilor Fiebelkorn that this matter be Passed. 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 Lewis 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, Benton, Davis, Grout, Lewis, Peña, and Sanchez

Against: 2 - Fiebelkorn, and Jones

- j. [R-23-128](#) Declaring A Position On Albuquerque-Bernalillo County Air Quality Control Board Petition 2022-3 (Lewis)

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

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

Against: 3 - Benton, Davis, and Fiebelkorn

Excused: 1 - Peña