



# 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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Wednesday, November 8, 2023

5:00 PM

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

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#### TWENTY-FIFTH COUNCIL - FORTIETH 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 Peña 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

October 16, 2023

#### 6. COMMUNICATIONS AND INTRODUCTIONS

#### 7. REPORTS OF COMMITTEES

Finance and Government Operations Committee - October 23, 2023

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

- a. [EC-23-376](#) City of Albuquerque Vision Zero Year-in-Review/Action Plan Update

**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, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

**Excused:** 1 - Benton

- b. [EC-23-378](#) Approval of Outside Counsel for Workers Compensation Legal Services Agreement with YLAW, P.C.

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

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

**Excused:** 1 - Benton

- c. [EC-23-379](#) Approval of the Farolito Senior Community Development Agreement with Greater Albuquerque Housing Partnership to Utilize HUD HOME Funds Towards the New Construction of a Senior Rental Housing Project

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

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

**Excused:** 1 - Benton

- d. [EC-23-380](#) Authorization of Social Service Agreement with Youth Development Inc. to Provide Violence Intervention & Prevention Services to youth/young adults who are high risk of engaging in gun violence or violent crimes

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

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

**Excused:** 1 - Benton

- e. [AC-23-14](#) (VA-2023-00196) PR-2022-007712, SI-2023-00127 The Westside Coalition of Neighborhood Associations and Michael Voorhees appeal the Development Hearing Officer decision to approve a final plat, for all or a portion of Lot 5, Block 6 Volcano Cliffs Unit 26 & Lot 1, Block 2, Volcano Cliffs Unit 26 zoned MX-L & MX-M, located on Rosa Parks Rd. between Paseo Del Norte and Rosa Parks Rd. containing approximately 18.23 acre(s). (C-11)

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

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

**Excused:** 1 - Benton

## 9. ANNOUNCEMENTS

**10. FINANCIAL INSTRUMENTS****11. GENERAL PUBLIC COMMENTS****12. APPEALS****13. APPROVALS: {Contracts, Agreements, and Appointments}**

- a. [EC-23-377](#) Mayor's Recommendation of Award to Fresquez Concessions Inc. for "Food and Beverage Concessions Program at the Albuquerque International Sunport"

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

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

**Against:** 1 - Davis

**Excused:** 1 - Benton

**14. FINAL ACTIONS**

- f. [O-23-88](#) Repealing Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Board Ordinance; Abolishing The Current Albuquerque-Bernalillo County Air Quality Control Board; Adopting Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Ordinance; Creating The Albuquerque-Bernalillo County Air Quality Control Board (Lewis)

**A motion was made by President Davis that this matter be Tabled. 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}**

- a. **Executive Session relating to the matter of LaDella Williams, et al. v City of Albuquerque, which is subject to attorney-client privilege pertaining to threatened or pending litigation as permitted by Section 10-15-1.H(7), NMSA 1978**

**A motion was made by President Davis that they move into Executive Session. The motion carried by the following vote:**

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

President Davis affirmed that matters discussed in executive session were limited to those specified in the motion for closure.

## 14. FINAL ACTIONS

- f. [O-23-88](#) Repealing Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Board Ordinance; Abolishing The Current Albuquerque-Bernalillo County Air Quality Control Board; Adopting Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Ordinance; Creating The Albuquerque-Bernalillo County Air Quality Control Board (Lewis)

**A motion was made by President Davis that O-23-88 be removed from the table. 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. 1. President Davis withdrew Amendment No. 1.**

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

- f. [O-23-88](#) Repealing Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Board Ordinance; Abolishing The Current Albuquerque-Bernalillo County Air Quality Control Board; Adopting Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Ordinance; Creating The Albuquerque-Bernalillo County Air Quality Control Board (Lewis)

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

**For:** 3 - Benton, Davis, and Peña

**Against:** 6 - Bassan, Fiebelkorn, Grout, Jones, Lewis, and Sanchez

**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:** 6 - Bassan, Davis, Grout, Lewis, Peña, and Sanchez

**Against:** 3 - Benton, Fiebelkorn, and Jones

**A motion was made by Councilor Peña that this matter be Amended. Councilor Peña moved Amendment No. 4. The motion failed by the following vote:**

**For:** 3 - Grout, Peña, and Sanchez

**Against:** 6 - Bassan, Benton, Davis, Fiebelkorn, Jones, and Lewis

**A motion was made by Councilor Peña that this matter be Amended. Councilor Peña moved Amendment No. 5. The motion carried by the following vote:**

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

**Against:** 1 - Lewis

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

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

**Against:** 4 - Benton, Davis, Fiebelkorn, and Peña

**g.** [R-23-176](#)

Establishing A Moratorium For The Albuquerque-Bernalillo County Air Quality Control Board To Act Under Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Board Ordinance Until February 1, 2024 (Lewis)

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

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

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

**Against:** 4 - Benton, Davis, Fiebelkorn, and Peña

**a.** [O-23-87](#)

Directing The Tax Revenue Generated By Legal Recreational Marijuana Sales To A Permanent Marijuana Equity And Community Reinvestment Fund For The Benefit, Health, Safety, Welfare, And Quality Of Life For Those Who Have Been Negatively Impacted By The Criminalization Of Marijuana (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:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

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

**A motion was made by Councilor Peña that this matter be Passed as Amended. 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 Councilor Lewis that the rules be suspended for the purpose of extending the meeting to 1:00 a.m. The motion carried by the following vote:**

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

**Against:** 1 - Jones

**b.** [O-23-89](#)

Amending Sections §7-2-1-1 Through §7-2-1-3 Of The Transit System Ordinance, Creating A Zero-Fare Structure (Fiebelkorn, Davis, Peña)

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

**For:** 6 - Bassan, Benton, Davis, Fiebelkorn, Jones, and Peña

**Against:** 3 - Grout, Lewis, and Sanchez

**d.** [R-23-178](#)

Suspending Administrative Appeals To Safe Outdoor Space Applications In Response To Court Injunction Restricting Removing Encampments From Public Land (Fiebelkorn)

**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:** 4 - Benton, Davis, Fiebelkorn, and Jones

**Against:** 5 - Bassan, Grout, Lewis, Peña, and Sanchez

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

**For:** 4 - Benton, Davis, Fiebelkorn, and Jones

**Against:** 5 - Bassan, Grout, Lewis, Peña, and Sanchez

**e.** [RA-23-3](#)

Amending Article I, Sections 8(C) And 8(H); And Article III, Sections 4(A), 4(B), 24(12), And 24(13) Of The City Council Rules Of Procedure Relating To The Order Of Business And Public Comment On Quasi-Judicial Matters (Davis)

**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

**c.** [R-23-177](#)

Designating Fund '305 Misc.' As The 'Housing Forward Fund' And Requiring The Administration To Provide An Annual Report (Benton)

**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

\*h. [R-23-180](#)

Approving And Authorizing The Acceptance Of Grant Awards From The Federal Emergency Management Agency (FEMA) And Providing For An Appropriation To The Department Of Finance And Administration For Fiscal Years 2024, 2025 And 2026 (Fiebelkorn, by request)

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

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

**Excused:** 1 - Jones

\*i. [R-23-181](#)

Directing The City Of Albuquerque Transit Department And Rio Metro Regional Transit District To Conduct A Study For Considering Consolidation; Appropriating Funding For The Study (Benton)

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

**For:** 5 - Benton, Davis, Fiebelkorn, Grout, and Lewis

**Against:** 3 - Bassan, Peña, and Sanchez

**Excused:** 1 - Jones

\*j. [R-23-182](#)

Establishing Legislative And Budget Priorities For The City Of Albuquerque For The Second Session Of The 56th New Mexico State Legislature (Fiebelkorn, Peña, Bassan)

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

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

**Excused:** 1 - Jones