



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, May 6, 2024

5:00 PM

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

TWENTY-SIXTH COUNCIL - NINTH 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 Sanchez led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

4. ADMINISTRATION QUESTION & ANSWER PERIOD

5. APPROVAL OF JOURNAL

April 15, 2024

6. COMMUNICATIONS AND INTRODUCTIONS

7. REPORTS OF COMMITTEES

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

b. [EC-24-67](#) Declaring 2117 Osuna Rd NE Not Essential for Municipal Purposes

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

- d. [EC-24-92](#) Mayor's Recommendation of Award for RFP -2024-517-AVI-IC, "Food and Beverage Concessions Program Reissue of Remaining Units at the Sunport"

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-24-93](#) Commuter Airline Terminal Lease and Operating Agreement between the City of Albuquerque and Advanced Air, LLC ("Advanced Air")

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

- f. [EC-24-96](#) Submission Of The Five-Year Forecast FY2024 To FY2028

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

- g. [EC-24-122](#) Mayor's re-appointment of Mr. Scott C. Anderson to the Fire Code Board of Appeals

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. [EC-24-123](#) Mayor's appointment of Ms. Maria Griego-Raby to the Albuquerque Development Commission

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

- i. [EC-24-124](#) Mayor's appointment of Mr. Brandon C. Lopez to the Veterans and Military Affairs 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

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- j. [EC-24-125](#) Mayor's appointment of Mr. John I. Ajie to the Metropolitan Parks and Recreation 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
- k. [EC-24-126](#) Mayor's appointment of Mr. Michael D. Postlethwait to the Para Transit 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
- l. [EC-24-127](#) Mayor's appointment of Ms. Promise G. Jacquez to the Youth Advisory Council
- 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
- m. [EC-24-133](#) Mayor's appointment of Ms. Kate Boulton to the Human Rights 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
- n. [EC-24-134](#) Mayor's appointment of Mr. John F. Carney 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:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- o. [EC-24-135](#) Mayor's appointment of Dr. Jay A. Greenhood to the Municipal Golf 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
- *q. [EC-24-139](#) Mayor's Recommendation of Award (ROA) for RFP No. RFP-2023-457-HRM-EV "Fully Insured Group Dental Insurance"
- 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

- r. [OC-24-11](#) Re-Appointment of Ron Behrmann 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

- s. [R-24-26](#) Approving And Authorizing The Filing Of An Application For A Federal Outdoor Recreation Legacy Partnership Program Grant For The Renovation Of Mesa Verde Park (Rogers, 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

- t. [R-24-43](#) Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Mesa Del Sol Tax Increment Development Districts 1 Through 5 Caused By The Resignation Of A Certain Director Pursuant To The Tax Increment For Development Act, NMSA 1978, Sections 5-15-1 Through 28 NMSA, As Amended, City Enactment No. O-2006-44, City Enactments No. R-2006-126, R-2007-001, R-2009-142, R-2010-104, R-2011-060, R-2012-101, R-2012-108, R-2014-095, R-2018-040, And R-2019-014; And Repealing All Actions Inconsistent With This Resolution (Rogers)

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

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

- a. [EC-24-40](#) Declaring Lot 8 Block 26 Emil Mann Addition / Near 528 Charleston St SE Not Essential for Municipal Purposes

A motion was made by Councilor Rogers that this matter be Postponed to May 20, 2024. The motion carried by the following vote:

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

- c. [EC-24-89](#) Declaring 341 Charleston St SE Not Essential for Municipal Purposes

A motion was made by Councilor Rogers that this matter be Postponed to May 20, 2024. The motion carried by the following vote:

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

- p. [EC-24-136](#) Mayor's appointment of Mr. Thomas E. Romero to the Accountability in Government Oversight Committee

A motion was made by Vice-President Grout that this matter be Postponed to May 20, 2024. 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-24-10](#) F/S Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Gross Receipts Tax Improvement Revenue Bonds In One Or More Series In An Aggregate Principal Amount Not To Exceed \$22,500,000 To Finance The (1) Cost Of Designing, Developing, Constructing, Reconstructing, Rehabilitating, Renovating, Modernizing, Signing, Enhancing And Otherwise Improving Certain Capital Improvements, Including The Southwest Public Safety Center, City Youth Shelters, Cibola Loop Multigenerational Center, Gibson Health Hub, Westside Emergency Housing Shelter, The Albuquerque Railyards, And The Acquisition Of A Law Enforcement Helicopter, And (2) Paying Expenses Related To Issuance Of The Bonds; Providing For The Payment Of The Series 2024 Bonds From Certain Gross Receipts Tax Revenues; Providing For The Collection Of Certain Gross Receipts Taxes; 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; Providing For Certain Documents Pertaining To The Series 2024 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 2024 Bonds (Peña, by request)

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

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

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

11. APPEALS

- a. [AC-24-6](#) PR-2023-009105, SI-2023-01402, VA-2023-00314 & VA-2023-00315: Anita Abeyta, President, Bosque del Acres Neighborhood Association, and Sharon B. Decatur, resident of Bosque del Acres Neighborhood Association, appeal the Environmental Planning Commission (EPC) decision to Approve a Site Plan - EPC with a cannabis retail land use, a Variance - EPC to an edge buffer requirement for Major Public Open Space and a Variance - EPC to Coors Blvd. VPO-1 building height standards for all or a portion of Lots 2-A and 2-B, a portion of Lots 2-A, 2-B, 2-C and 2-D, (Being a Replat of Tract 2, Cottonwood Crossing Phase II) and Lots 1, 2, 3, 4 5 and 6, Plat of Lots 1, 2, 3, 4, 5 & 6 (Being a Replat of Tracts 14-A & 14-B Black Ranch), Cottonwood Crossing Phase II, located east of Coors Blvd. NW, at the intersection of Coors Blvd. NW and 7 Bar Loop Rd. NW, approximately 10 acres (the "Subject Site") (B-14-Z)

A motion was made by President Lewis To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

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

12. GENERAL PUBLIC COMMENTS

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

- a. [EC-24-70](#) Mayor's Recommendation of Award for RFP-2023-463-DSW-EV Recyclable Material Processing and Marketing Services

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

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

Against: 1 - Peña

14. FINAL ACTIONS

- a. [O-24-5](#) C/S Amending §11-3 The Human Rights Ordinance (Fiebelkorn, Rogers and Baca, by request)

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

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

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

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

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

b. [O-24-15](#)

F/S Repealing Chapter 9, Article 6, ROA 1994, Food And Beverages Ordinances, And Creating The Food Service And Retail Ordinance (Bassan, by request)

A motion was made by Councilor Bassan that this matter be Substituted. 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 the rules be suspended for the purpose of allowing O-24-15 to be adopted the same evening it is substituted. The motion carried by the following vote:

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

A motion was made by Vice-President Grout that this matter be Amended. Vice-President Grout moved Amendment No. 1. The motion failed by the following vote:

For: 2 - Grout, and Lewis

Against: 7 - Baca, Bassan, Champine, Fiebelkorn, Peña, Rogers, and Sanchez

A motion was made by Councilor Rogers 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 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez

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

For: 2 - Grout, and Lewis

Against: 7 - Baca, Bassan, Champine, Fiebelkorn, Peña, Rogers, and Sanchez

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

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

Against: 1 - Lewis

c. [O-24-16](#)

Amending Chapter 2, Article 4 Of The City Code Relating To Elections And Petitions (Baca, by request)

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

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

- d. [R-24-14](#) Approving And Authorizing The Filing Of A Grant Application For A Violence Intervention Fund Grant With The New Mexico Department Of Health Office Of Gun Violence Prevention And Providing An Appropriation To The Albuquerque Community Safety Department In Fiscal Year 2024 (Rogers, by request)
- A motion was made by Councilor Rogers that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- e. [R-24-25](#) Approving And Authorizing The Acceptance Of Grant Funds From The New Mexico State Library For The Basic State Grants In Aid And Providing For An Appropriation To The Department Of Arts & Culture In Fiscal Year 2024 (Grout, 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
- f. [R-24-27](#) Adopting An Updated Albuquerque/Bernalillo County Comprehensive Plan (Fiebelkorn and Grout, by request)
- 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:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- A motion was made by Vice-President Grout that this matter be Passed as Amended. The motion carried by the following vote:**
- For:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- g. [R-24-31](#) Approving And Authorizing The Filing Of A Grant Application For A 2023 United States Department Of Agriculture Forest Service Urban And Community Forestry Inflation Reduction Grant For The Continued Stewardship And Expansion Of The Urban Tree Canopy Cover (Fiebelkorn, by request)
- A motion was made by Councilor Fiebelkorn that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers, and Sanchez
- h. [R-24-34](#) F/S Repealing Article 9 Of Chapter 3 Of The Code Of Resolutions And Replacing It With The Sustainability Resolution (Grout and Fiebelkorn)
- A motion was made by Councilor Fiebelkorn that this matter be Substituted.**

The motion carried by the following vote:

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

A motion was made by Vice-President Grout that this matter be Postponed as Substituted to May 20, 2024. The motion carried by the following vote:

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

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

There being no further business, this City Council meeting adjourned at 10:47 p.m.