



City of Albuquerque

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

Action Summary

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

Wednesday, June 22, 2022

5:00 PM

Via Zoom Video Conference

TWENTY-FIFTH COUNCIL - TWELFTH MEETING

1. ROLL CALL

Present 9 - Brook Bassan, Isaac Benton, Patrick Davis, Tammy Fiebelkorn, Renee Grout, Trudy Jones, Dan Lewis, Klarissa Peña, and Louie Sanchez

2. MOMENT OF SILENCE

Vice-President Lewis led the Pledge of Allegiance in English.
Councilor Bassan led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

10. GENERAL PUBLIC COMMENTS

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

June 6, 2022

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Public Safety Committee - June 14, 2022

DEFERRALS/WITHDRAWALS:

- e. [O-22-29](#) Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Industrial Revenue Bond (Able Grid Project), Series 2022 In The Maximum Principal Amount Of \$95,000,000 To Provide Funds To Finance The Acquisition, Renovation, Development, Improvement And Equipping Of A Facility For A Renewable Energy Storage Company; Authorizing The Execution And Delivery Of An Indenture, Lease Agreement, Bond Purchase Agreement, Bond, And Other Documents In Connection With The Issuance Of The Bond And The Project; Making Certain Determinations And Findings Relating To The Bond And The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Bassan, by request)

A motion was made by Councilor Bassan that this matter be Postponed to August 1, 2022. The motion carried by the following vote:

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

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

- a. [EC-22-14](#) Mayor's appointment of Mr. Mark Reynolds to the Information Services Committee

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

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

Against: 1 - Lewis

- b. [EC-22-87](#) Mayor's appointment of Mr. Herb Angle, Jr to the Older American's Act Advisory Council

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

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

Against: 1 - Lewis

- c. [EC-22-88](#) Mayor's appointment of Senator Bill Tallman to the Albuquerque Museum Board of Trustees

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

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

Against: 1 - Lewis

- d. [EC-22-89](#) Mayor's appointment of Ms. Julie Tertin to the Greater Albuquerque

Recreational Trails Committee

A motion was made by Vice-President Lewis that this matter be Confirmed.

The motion carried by the following vote:

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

Against: 1 - Lewis

e. [EC-22-90](#)

Approval of the Agreement with Sawmill Community Land Trust to Utilize Workforce Housing Trust Funds in the amount of \$1,625,000

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

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

Against: 1 - Lewis

f. [EC-22-94](#)

Approval of the Agreement with Homewise, Inc. to Utilize American Rescue Plan Act Funds in the amount of \$3,300,000

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

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

Against: 1 - Lewis

g. [EC-22-95](#)

Mayor's appointment of Dr. Per Elis Eberlein to the Joint Air Quality Board.

A motion was made by Vice-President Lewis that this matter be Confirmed.

The motion carried by the following vote:

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

Against: 1 - Lewis

***h.** [EC-22-99](#)

AERO Charter and Transport, Inc. Hangar Lease and Agreement

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

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

Against: 1 - Lewis

i. [R-22-45](#)

Approving And Authorizing The Acceptance Of Grant Funds From The New Mexico State Highway And Transportation Department And Providing An Appropriation To The Parks And Recreation Department In Fiscal Year 2023 (Benton, by request)

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

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

Against: 1 - Lewis

- j. [R-22-48](#) Approving The Appointment Of Director To Fill Vacancies On The Governing Body Of The Montecito Estates Public Improvement District, Caused By The Lack Declaration Of Candidates To Serve On The Board In The Local Election, Pursuant To The Public Improvement District Act, NMSA 1978, §§ 5-11-1 To -27 (2013, As Amended) And City Ordinance Enactment No. 0-2003-12, Council Bill No. FS O-03-84; And Repealing All Actions Inconsistent With This Resolution (Lewis)

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

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

Against: 1 - Lewis

- k. [R-22-51](#) Approving The Appointment Of Directors To Fill Vacancies On The Governing Body Of The Trails Public Improvement District Caused By The Resignation Of Certain Directors, Pursuant To The Public Improvement District Act, NMSA 1978, Sections 5-11-1 Through 27, As Amended, And City Enactment No. O-2003-012; And Repealing All Actions Inconsistent With This Resolution (Lewis)

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

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

Against: 1 - Lewis

- l. [R-22-52](#) Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Mesa Del Sol Public Improvement District 1 And To Fill A Vacancy On The Governing Body Of Mesa Del Sol Public Improvement District 2 Through 5 Caused By The Resignation Of A Certain Director, Pursuant To The Public Improvement District Act, NMSA 1978, Sections 5-11-1 Through 27, As Amended, And City Enactment No. O-2003-012; And City Enactment No R-2008-045; And Repealing All Actions Inconsistent With This Resolution (Davis)

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

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

Against: 1 - Lewis

11. ANNOUNCEMENTS

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

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

- a. [EC-22-66](#) Revenue & Expense Report for Second Quarter Fiscal Year 2022 and Quarterly Savings Use Report
- A motion was made by President Benton that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- b. [EC-22-92](#) Appointment of Lauren Keefe to the position of City Attorney
- A motion was made by President Benton that this matter be Confirmed. The motion carried by the following vote:**
- For:** 7 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, and Peña
- Against:** 2 - Lewis, and Sanchez
- c. [OC-22-11](#) Selection of the Executive Director of the Civilian Police Oversight Agency (Ms. Deirdre Ewing)
- A motion was made by President Benton that Ms. Deirdre Ewing be Confirmed. The motion carried by the following vote:**
- For:** 7 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, and Peña
- Against:** 2 - Lewis, and Sanchez
- *d. [EC-22-98](#) Supplemental Agreement with GuideHouse for ARPA Fund Management Services
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

14. FINAL ACTIONS

- a. [O-22-18](#) Amending The Albuquerque Retailers, Meat Markets And Wholesalers Ordinance To Revise Inspection Frequency, Update Permit Processes, Revise Fee Procedures, And To Regulate Edible Cannabis Products (Fiebelkorn, by request)
- A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 1. 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 Fiebelkorn 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

b. [O-22-19](#)

Amending The Albuquerque Food Sanitation Ordinance To Update Permit Processes, Revise Fee Procedures, And To Regulate Edible Cannabis Products (Fiebelkorn, by request)

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis 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 Fiebelkorn 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

c. [O-22-27](#)

F/S Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Industrial Revenue Bond (BlueHalo Project), Series 2022 In The Maximum Principal Amount Of \$16,175,675 To Provide Funds To Finance The Renovation, Development, Improvement And Equipping Of A Facility Including Office Complex, Laboratories, Manufacturing Facilities, Test Areas And Secure Spaces For An Integrated Technology Company; Authorizing The Execution And Delivery Of An Indenture, Lease Agreement, Bond Purchase Agreement, Bond, And Other Documents In Connection With The Issuance Of The Bond And The Project; Making Certain Determinations And Findings Relating To The Bond And The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Grout)

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

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

d. [O-22-28](#)

Approving A Project Involving BlueHalo, 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 Renovation, Expansion And Improvement Of Engineering, Manufacturing And Training Facilities For An Integrated Technology Company 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 (Grout)

A motion was made by Councilor 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

f. [R-22-18](#)

Creating A Pilot Program To Test And Review A Priority-Based Budgeting Approach In The Development Of The Annual Operating Budget (Sanchez, Lewis, Jones, Benton)

A motion was made by Councilor Sanchez that this matter be Amended. Councilor Sanchez 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 Sanchez 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

g. [R-22-36](#)

Directing The City Administration To Develop Operating Procedures For Safe Outdoor Spaces (Fiebelkorn, Benton, Davis)

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

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

Against: 2 - Lewis, and Sanchez

A motion was made by Vice-President Lewis that this matter be Postponed to September 19, 2022. Vice-President Lewis withdrew his motion.

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

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

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

h. [R-22-43](#)

Extending A Moratorium Established By R-21-165 To Prohibit Cannabis Retail, Cannabis Cultivation, And Cannabis Manufacturing Uses In The Old Town Historic Protection Overlay Zone Until The Sooner Of October 1, 2022 Or When The 2021 Integrated Development Ordinance Annual Update Becomes Effective (Benton)

A motion was made by President Benton that this matter be Passed. The motion did not receive a second.

i. [R-22-44](#)

F/S Designating As City Federal Priorities The City Of Albuquerque's

Fiscal Year 2023 Congressionally Directed Spending Requests To The 117th Congress Of The United States (Peña, Fiebelkorn)

A motion was made by Councilor Peña that this matter be Substituted. 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 the rules be suspended for the purpose of allowing R-22-44 to be adopted the same evening it is substituted. 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 Substituted. The motion carried by the following vote:

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

j. [R-22-47](#)

Appropriating Funding From The Second Tranche Of The American Rescue Plan Act Of 2021 For The Purposes Of Pandemic Response, Pandemic Recovery Investments, And Support For Vulnerable Populations (Bassan, 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 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

A motion was made by Councilor Jones that this matter be Amended. Councilor Jones 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 Sanchez that this matter be Amended. Councilor Sanchez moved Amendment No. 3. 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: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

h. [R-22-43](#)

Extending A Moratorium Established By R-21-165 To Prohibit Cannabis Retail, Cannabis Cultivation, And Cannabis Manufacturing Uses In The Old Town Historic Protection Overlay Zone Until The Sooner Of October 1, 2022 Or When The 2021 Integrated Development Ordinance Annual Update Becomes Effective (Benton)

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

For: 6 - Benton, Grout, Jones, Lewis, Peña, and Sanchez

Against: 2 - Bassan, and Fiebelkorn

Recused: 1 - Davis

k. [R-22-49](#)

F/S Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects, Supplementing Current Appropriations And Changing The Scope Of Existing Projects (Davis, by request)

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

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

l. [R-22-50](#)

Adopting The El Camino Real De Tierra Adentro National Historic Trail (NHT) Development Concept Plan (DCP) (Benton)

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

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

***m. [R-22-55](#)**

Extending The Stay Of Enforcement Of The Albuquerque Tax Preparer And Consumer Rights Ordinance (Davis)

A motion was made by Councilor 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

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

There being no further business, this meeting is adjourned at 10:20 p.m.