



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, May 1, 2023

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-FIFTH COUNCIL - THIRTIETH 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/may-1-2023-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/82778032505>
- Meeting ID: 827 7803 2505
- (669) 900-6833 // 827 7803 2505

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/jc421FGcqAw?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**

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
Attachments: [EC-258](#)
- b. [EC-23-275](#) Revenue & Expense Report for Second Quarter Fiscal Year 2023
Attachments: [EC-275](#)
- c. [EC-23-276](#) Approval of Third Supplement to John Stiff and Associates Outside Legal Counsel Services
Attachments: [EC-276](#)
- d. [EC-23-277](#) Mayor's appointment of Mr. Dennis F. Armijo Sr. to the Joint Air Quality Board
Attachments: [EC-277](#)
[Consent to Withdraw- Withdrawn by Administration]
- e. [EC-23-278](#) Mayor's re-appointment of Ms. Lovie McGee to the Albuquerque Housing Authority Board
Attachments: [EC-278](#)
[Consent to Withdraw- Withdrawn by Administration]

- 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)
Attachments: [EC-279](#)
- 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)
Attachments: [EC-280](#)
- h. [EC-23-281](#) Mayor's appointment of Nalleli Reyes Garcia to the Airport Advisory Board
Attachments: [EC-281](#)
- i. [EC-23-282](#) Mayor's appointment of Ms. Kate C. Krous to the Youth Advisory Council
Attachments: [EC-282](#)
- 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)
Attachments: [R-75](#)
[Consent to defer R-22-75 to the June 5, 2023 Council meeting]
- 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)
Attachments: [R-115](#)

9. ANNOUNCEMENTS

10. FINANCIAL INSTRUMENTS

11. GENERAL PUBLIC COMMENTS

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

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)
- Attachments:** [AC-23-9](#)

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)
- Attachments:** [R-118](#)
- 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)
- Attachments:** [O-55](#)
[O-55 Approved FGO Committee Substitute](#)
[O-55 Approved CS\(2\) FGO-Bassan](#)
[O-55 Approved FGO CS\(3\)-Bassan](#)
- 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)
- Attachments:** [O-56](#)
[O-56 Approved FGO Committee Substitute](#)
[O-56 Approved FGO CS\(2\)-Bassan](#)
[O-56 Approved FGO CS\(3\)-Bassan](#)
- 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)

Attachments: [O-59](#)

[O-59 Approved FGO CS-Fiebelkorn](#)

- 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)

Attachments: [O-68](#)

[O-68 Approved FGO CS-Jones](#)

- 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)

Attachments: [O-75](#)

- 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)

Attachments: [O-78](#)

- h. [O-23-81](#) Amending The Capital Improvements Program Ordinance To Formalize A Six Percent Council District Set-Aside (Peña, Bassan)

Attachments: [O-81](#)

[An amendment may be moved that changes the title to the following: AMENDING THE CAPITAL IMPROVEMENT PROGRAM ORDINANCE TO INCREMENTALLY INCREASE THE COUNCIL DISTRICT SET ASIDE TO \$18 MILLION BY 2029]

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

Attachments: [R-92](#)

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

Attachments: [R-128](#)

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.

Assistive listening systems are available for all Council meetings. The Vincent E. Griego Chambers is equipped with an audio induction loop. Please switch your hearing aid or cochlear implants to T-coil mode. Alternatively, please request to borrow a headset or neckloop from the staff table at the front of the room.

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