



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

Wednesday, January 18, 2023

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-FIFTH COUNCIL - TWENTY- THIRD 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 Sanchez led the Pledge of Allegiance in English.
Councilor Bassan led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

January 4, 2023

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

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

- a. [EC-22-167](#) First Amendment to Lease Agreement between City of Albuquerque and Zia Community Cares, LLC
- A motion was made by Vice-President Grout that this matter be Approved. The motion carried by the following vote:**
- For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- b. [EC-22-175](#) Early Head Start Quarterly Report for July, August and September 2022
- A motion was made by Vice-President Grout 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
- c. [EC-22-186](#) Communications Antennae Facility Lease and Operating Agreement Between the City of Albuquerque And EIP Holdings II, LLC ("EIP")
- A motion was made by Vice-President Grout that this matter be Approved. The motion carried by the following vote:**
- For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- d. [EC-22-188](#) Approval of the Risk First Supplemental Agreement to add funds for Outside Counsel Legal Services between Peifer, Hanson, Mullins & Baker P.A. and the City of Albuquerque
- A motion was made by Vice-President Grout that this matter be Approved. The motion carried by the following vote:**
- For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- e. [EC-22-189](#) Lease Agreement between A-Com Technologies, LLC, and the City of Albuquerque for Parking Spaces located at San Diego Blvd. NE & Jefferson NE
- A motion was made by Vice-President Grout that this matter be Approved. The motion carried by the following vote:**
- For: 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- f. [EC-22-190](#) Legal Department's Quarterly Litigation Report for the 1st Quarter of FY 2023 (Greater than 10,000)
- A motion was made by Vice-President Grout 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

- g. [EC-22-196](#) Approving an Agreement with HROD Inc to provide federal legislative and lobbying services for the City of Albuquerque

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

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

- h. [EC-22-204](#) Mayor's appointment of Dr. Thomas Quirk IV to the Albuquerque Energy Council

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

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

- i. [EC-22-205](#) Mayor's reappointment of Mr. Michael V. Marcotte to the Cable, Internet and PEG Advisory Board

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

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

- j. [EC-22-206](#) Approval of the CDBG Social Service Agreement, with the New Mexico Veterans Integration Center for land acquisition to develop a new transitional living facility which will provide temporary housing and services to homeless persons

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

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

- k. [EC-22-207](#) Report On Working Group To Study The Effects Of Remote Meetings Of Public Boards, Commissions, And Committees

A motion was made by Vice-President Grout 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

- l. [EC-22-209](#) Mayor's appointment of Mr. Adam Harper to the Albuquerque Energy Council

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

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

m. [EC-22-210](#)

Mayor's appointment of Mrs. Lisa M. McCulloch to the Small Business Regulatory Committee

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

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

n. [EC-22-211](#)

Mayor's re-appointment of Ms. Julie Radoslovich 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 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

o. [EC-22-213](#)

Mayor's Recommendation of Award for "Bond Underwriter Services"

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

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

p. [EC-22-215](#)

Project# PR-2022-007416, SD-2022-00154 Pollman Dean Trustee Pollman Family RVT Requests Right Of Way Vacation Located At 113 Eubank Blvd NE

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

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

*q. [EC-23-222](#)

Approval of a contract with Tyler Technologies, Inc. for professional technical services to implement new Enterprise Licensing and Permitting software

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

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

r. [OC-22-24](#)

Appointment of Mrs. Natalie Pascoe to the Anderson/Abruzzo Albuquerque International 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 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

s. [R-22-77](#)

Approving The Transit Department's 2022 Updated Public Transit Agency Safety Plan (Peña)

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

t. [R-22-86](#)

Relating To The Redevelopment, Leasing And Sale Of A Metropolitan Redevelopment Project Within The Central/Highland/Upper Nob Hill Metropolitan Redevelopment Area Consistent With The Terms Of The Central/Highland/Upper Nob Hill Redevelopment Plan; Approving The Metropolitan Redevelopment Application Entitled "Silver Townhomes, LLC; The Central/Highland/Upper Nob Hill Metropolitan Redevelopment Application"; Authorizing The Acquisition Of Land And Existing Improvements And Construction Of 20 Townhome Units Within The Metropolitan Redevelopment Area; Authorizing The Disposition By Lease And Sale Of The City's Interest In Such Project To Silver Townhomes, LLC, Its Successors And Assigns; Authorizing The Execution And Delivery Of A Lease Agreement, In Form, And Other Documents In Connection With The Project; Making Certain Determinations And Findings Relating To The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Resolution (Davis, by request)

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

u. [R-22-88](#)

Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Supplementing Current Appropriations (Bassan, by request)

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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- a. [AC-22-21](#) PR-2022-007414-VA-2022-00206-VA-2022-00308: Giuseppe Moscardelli, appeals the Zoning Hearing Examiner's decision to Deny a wall permit- major in the front and street side yard for Lot 13, Block 28, Monte Vista Addn, located at 3519 Berkeley PL NE, zoned R-1B [Subsection 14-16-5-7(D)(3)(g)]
- A motion was made by President Davis that this matter be Withdrawn by Appellant. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

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

- a. [EC-22-199](#) Mayor's Recommendation of Award (ROA) to Employers Pro Advantage, Recruiting Source International, and David Gomez Partners Inc. for "Executive Search Services"
- A motion was made by President Davis that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez
- b. [EC-22-208](#) Mayor's appointment of Mr. Adelmo E. Archuleta to the Albuquerque Development Commission
- A motion was made by Councilor Benton that this matter be Confirmed. The motion failed by the following vote:**
- For:** 4 - Benton, Davis, Fiebelkorn, and Jones
- Against:** 5 - Bassan, Grout, Lewis, Peña, and Sanchez

14. FINAL ACTIONS

- a. [O-22-47](#) F/S(3) The Albuquerque Transit Security And Equitable Access Ordinance, Amending Chapter 7 Article 2, Section 1 Of The Transit Ordinance, Requiring Security Planning And Fare And Access Studies To Improve Accessibility And Security On The Abq Ride And Sun Van Transit Systems (Peña, Davis, Fiebelkorn, Lewis)
- 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 this matter be Postponed as Substituted to February 6, 2023. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, and Sanchez

- b. [O-22-62](#) Appropriating Funds To Expand Transit Security; Making Adjustments To The Transit System To Improve Transit Security And Transit Equity; Adjusting The Definition Of Peace Officer To Include Transit Security And Metro Security; Adding Disobeying A Motor Coach Operator To The Definition Of Disorderly Conduct; Adjusting Public Transit Fares (Davis, Fiebelkorn)

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

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

- c. [O-22-64](#) Amending Chapter 5, Article 5, Of The Revised Ordinances Of Albuquerque, The "Public Purchases Ordinance" Relating To Definitions, Preferences, Exemptions, Pay Equity And Purchases Of Software (Bassan by request)

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

- d. [O-22-67](#) F/S Amending The Police Oversight Ordinance, Chapter 9, Article 4, Part 1 Of The Revised Ordinances Of Albuquerque (Bassan, Benton, Davis, Grout)

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

For: 7 - Bassan, Benton, Davis, Fiebelkorn, Lewis, Peña, and Sanchez

Against: 2 - Grout, and Jones

A motion was made by Councilor Peña that this matter be Amended. Councilor Peña moved Amendment No. 2. Councilor Peña withdrew her Amendment.

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: 4 - Bassan, Benton, Lewis, and Peña

Against: 5 - Davis, Fiebelkorn, Grout, Jones, and Sanchez

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

Councilor Fiebelkorn moved Amendment No. 3. The motion carried by the following vote:

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

Against: 2 - Grout, and Peña

A motion was made by Vice-President Grout to suspend the rules to allow F/S O-22-67 to be acted on at tonight's meeting. 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 Substituted, as Amended. The motion carried by the following vote:

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

e. [R-22-70](#)

Requiring A Transit System Security Incident Response Tactical Plan, Quarterly Reporting Of Security Calls For Service In The Transit System, And Development Of A Long-Term Security Plan, For The Operations And Facilities Of The Albuquerque Transit Department (Peña)

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

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

f. [R-22-80](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 629 San Mateo Blvd SE Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Davis, by request)

A motion was made by President Davis that this matter be Postponed to the February 22, 2023. The motion carried by the following vote:

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

g. [R-22-81](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 158 Chama St NE, Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Davis, by request)

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

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

Against: 1 - Peña

h. [R-22-83](#)

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 (Bassan, 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 Councilor Bassan that this matter be Amended. Councilor Bassan 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 Amended. Councilor Bassan 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 Peña that this matter be Amended. Councilor Peña moved Amendment No. 4. 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

i. [R-22-84](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 1301 Gerald Ave SE Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Benton, by request)

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

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

Against: 1 - Peña

j. [R-22-85](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 3709 Lombardy Rd NW 87105, AKA: 3711 Lombardy Rd NW 87105 Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Benton, by request)

A motion was made by Councilor Benton that this matter be Postponed to the February 22, 2023. The motion carried by the following vote:

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

k. [R-22-94](#)

F/S Approving And Authorizing The Acceptance Of Grant Funds From U.S. Department Of Treasury And Providing An Appropriation To The Parks And Recreation Department In Fiscal Year 2023 (Bassan by request)

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

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

***l.** [RA-23-1](#)

Amending Article 1, Section 10, Of The City Council Rules Of Procedure Relating To Attendance (Benton, Peña, Jones, Fiebelkorn)

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan moved Amendment No. 1 to Floor 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 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 Benton that this matter be Passed as Amended. The motion carried by the following vote:

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

Against: 1 - Grout

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

a. **Approval of Committee Appointments**

A motion was made by President Davis to Approve the Committee Appointments. The motion carried by the following vote:

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

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.

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