



City of Albuquerque

Agenda City Council

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM
87102

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

Monday, March 21, 2022

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW
Albuquerque/Bernalillo County
Government Center

TWENTY-FIFTH COUNCIL - SIXTH MEETING

Procedures for Monday, March 21, 2022 City Council Meeting

Attendance: Public participation for this meeting will be via Zoom video conference. The Chambers will be open to the public for the April 4, 2022 Council meeting.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at <https://www.cabq.gov/culturalservices/govtv>, YouTube at <https://youtu.be/vxVFfM7MV4c>, or Zoom Webinar. The live streams can be accessed at these addresses from most smartphones, tablets, or computers. This meeting is closed captioned and you may enable the closed captioning services on your television or device.

The video recording of this and all past meetings of the City Council will also remain available for viewing at any time on the City's website. Council Staff is available to help members of the public access recorded Council meetings on-line at any time during normal business hours. Please call 505-768-3100 for assistance.

Instructions to Provide Public Comments

- **Written Comments:** The Council will take written public comment through 3:00 pm on Monday, March 21. Web form submission for written public comment can be found at <https://www.cabq.gov/mar-21-2022-written>. These comments will be distributed to all Councilors for review in advance of the meeting.

- **Virtual, Live Comments:** The Council will take general public comment on any topic from up to a maximum of 30 people on a first-come first-serve basis. Individuals may also sign up to address up to 2 agenda items. To provide real time verbal public comment over Zoom, participants must sign up for public comment by 3:00 pm on Monday, March 21. The sign-up sheet can be accessed at this link: <https://www.cabq.gov/mar-21-2022-live>. Participants have the ability to select if they require Spanish language interpretation when signing up.
 - o **Note:** Participants must sign up for public comment with the Zoom username or phone number that you will use to enter the Zoom meeting so that you can be identified when accessing the meeting. Persons who do not provide this information will not be allowed into the meeting, but may still view the meeting via Zoom Webinar, YouTube live or on GOVTV.
- Participants will be an Attendee in the Zoom Webinar until the public comment period begins. The Zoom moderator will move you into the meeting room as Panelist when it's your turn to provide public comments.
 - o Access the Zoom Webinar by following this link, entering the room information manually, or by calling in via telephone:
 - <https://cabq.zoom.us/j/82710118310>
 - Webinar ID: 827 1011 8310
 - (669) 900-6833 // 827 1011 8310#
 - o Participants will be able to view the meeting via Zoom while waiting for public comments, but participants can also watch on YouTube live or GOVTV.
- Once called upon for public comment, the participants will be able to unmute themselves and turn on their camera.
- If you are also watching on YouTube or GOVTV, please note that the online stream lags approximately 10 seconds behind the Zoom meeting. Please mute or pause the online stream once you are in the Zoom meeting room to avoid feedback between the Zoom meeting room and the online broadcast.
- Public comment will be limited to 2 minutes or less, depending on the number of persons signed up. Your time will start when you begin speaking and you will be informed when your time has concluded, at which point your microphone will be muted and your camera will be turned off.
- Participants will be moved back to Attendee of Webinar once your comment period has ended.

Public Comment ground rules:

- Each participant has 2 minutes to present.
- Comments are to be addressed to the Councilors only, through the Council President.
- Any disruptive conduct will result in removal from the Zoom meeting room.

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. ECONOMIC DEVELOPMENT DISCUSSION****5. ADMINISTRATION QUESTION & ANSWER PERIOD****6. APPROVAL OF JOURNAL**

March 7, 2022

7. COMMUNICATIONS AND INTRODUCTIONS**8. REPORTS OF COMMITTEES**

Finance and Government Operations Committee - March 14, 2022

Public Safety Committee - March 15, 2022

Land Use, Planning and Zoning Committee - March 16, 2022

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

- a. [EC-22-37](#) Mayor's Recommendation of Engineering Consultants for City Wide On-Call Engineering for Hydrology, Hydraulics and Storm Drainage Work
Attachments: [EC-37](#)
- b. [EC-22-38](#) Mayor's appointment of Ms. Raven Begay to the Commission on American Indian and Alaska Native Affairs
Attachments: [EC-38](#)
- c. [EC-22-40](#) Mayor's appointment of Mr. Marc Limmany to the Airport Advisory Board
Attachments: [EC-40](#)
- d. [EC-22-41](#) Mayor's appointment of Ms. Jane L. McGuigan to the Cable, Internet and PEG Advisory Board

Attachments: [EC-41](#)

- e. [EC-22-42](#) Mayor's appointment of Mr. Christopher Maestas to the Information Services Committee

Attachments: [EC-42](#)

- f. [EC-22-43](#) Reconfirmation of Executive Appointments

Attachments: [EC-43](#)

[Withdrawn by Administration]

- g. [R-21-209](#) Amending The Declaration Of Local Emergency Due To Novel Coronavirus COVID-19 To Require Vaccination Of Certain City Employees (Benton)

Attachments: [R-209.pdf](#)

[Withdrawn by Sponsor]

10. GENERAL PUBLIC COMMENTS

Please refer to the statement "Procedures for March 21, 2022 City Council Meeting" at the beginning of the Council Agenda.

11. ANNOUNCEMENTS

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

- a. [AC-21-17](#) PR-2021-005442, SI-2021-01714: Modrall Sperling Law Firm, agent for Columbus Pacific Properties Ltd., appeals the decision of the Development Review Board (DRB) to approve an EPC Site Plan Final Sign-Off for all or a portion of LOT A-2-A-A, The Plaza At Paseo Del Norte zoned MX-M, located on Eagle Ranch Rd between Paradise Blvd And Irving Blvd NW containing approximately 7.12 acre(s). (C-13)

[Withdrawn]

- b. [AC-22-1](#) PR-2019-002496, SI-2019-00180, VA-2021-00456: Hessel E. Yntema III Law Firm P.A., agent for Karen Baehr, and others as set out in the appeal application, appeals the decision of the Development Review Board (DRB) to approve a site plan for all or a portion of Lots 1 - 4 Block 4 Tract 3 Unit 3 North Albuquerque Acres, zoned MX-L, located at the SEC of Barstow St NE and Alameda Blvd NE, containing approximately 3.38 acres

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

14. FINAL ACTIONS

- *a. [O-22-12](#) Approving A Project Involving Pajarito Powder, 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 Leasing, Renovation And Improvement Costs For A Renewable Energy Technology Company And Catalyst Manufacturing Facility Located 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 (Bassan, by request)

Attachments: [O-12](#)

- *b. [O-22-13](#) Approving A Project Involving Aspen & Autumn, 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 Acquisition, Construction And Improvement Of A Warehouse And Office Facility For Distribution Of New Mexico Related Foods And Tourist Items, Which Facility Will Be Located 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 (Bassan, by request)
- Attachments:** [O-13](#)
- c. [O-22-14](#) Establishing A Business Improvement District, To Be Known As The Albuquerque Tourism Marketing District (Benton, Bassan)
- Attachments:** [O-14](#)
- d. [O-21-83](#) Amending Chapter 9, Article 5, Part 5 Of The Revised Ordinances Of Albuquerque (The "Albuquerque Clean Indoor Air Ordinance") Regarding Public Consumption Of Cannabis Following The Enactment Of The New Mexico Cannabis Regulation Act, NMSA 1978, Section 26-2C-1 Et Seq.; Amending Restrictions in Public Outdoor Areas (Benton)
- Attachments:** [O-83](#)
- e. [O-22-1](#) C/S Amending Enactment No. O-2018-001 (Council Bill No. O-18-9) To Rescind One Eighth Of One Percent (.125%) Of The Overall Three Eighths Of One Percent (.375%) Gross Receipts Tax Imposed Thereby (Lewis)
- Attachments:** [O-1.pdf](#)
[O-1 Approved Committee Substitute.pdf](#)
- f. [O-22-9](#) C/S Amending Enactment No. O-2018-001 (Council Bill No. O-18-9) Which Imposed A Three Eighths Of One Percent (.375%) Gross Receipts Tax (Benton, Davis, Fiebelkorn)
- Attachments:** [O-9.pdf](#)
[O-9 Approved Committee Substitute.pdf](#)

- g. [R-22-2](#) Amending The Declaration Of Local Emergency Due To Novel Coronavirus COVID-19 To Ban Vaccine Requirements For City Employees; Setting Policy For Future Declarations (Lewis)

Attachments: [R-2.pdf](#)

[A floor substitute may be moved that adjusts the title as follows: Setting City Policy Banning Covid-19 Vaccine Requirement for City Employees.]

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

a. Approval of Revised Committee Appointments

- b. [EC-22-50](#) Veto Of O-22-2, Updating The Civil Emergency Powers Ordinance Relating To Public Health Orders

Attachments: [EC-50](#)

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.

Visit our Website at <http://www.cabq.gov/council>