



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, December 4, 2023

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-FIFTH COUNCIL - FORTY-SECOND MEETING

Public Comment Sign Up for December 4, 2023 City Council 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/dec-4-2023-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/85356281891>
- Webinar ID: 853 5628 1891
- (669) 900-6833 // 853 5628 1891

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/ercb1Dt4qTI?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**

November 20, 2023

6. COMMUNICATIONS AND INTRODUCTIONS**7. REPORTS OF COMMITTEES****8. CONSENT AGENDA: {Items may be removed at the request of any Councilor}**

- a. [EC-23-389](#) Approval of the First Supplemental Agreement to add funds for Outside Counsel Legal Services Between Peifer, Hanson, Mullins & Baker P.A. and the City of Albuquerque.
- b. [EC-23-391](#) Mayor's appointment of Dr. Michael Wartell to the Personnel Board
[Consent to defer EC-23-391 to the January 8, 2024 Council meeting]
- c. [EC-23-392](#) Mayor's re-appointment of Dr. Kimberly M. Pruett to the EMS Medical Control Board
- d. [EC-23-393](#) Mayor's appointment of Mrs. Lynette L. Gassner to the Commission on American Indian and Alaska Native Affairs
[Consent to Withdraw- Withdrawn by Administration]
- e. [EC-23-394](#) Mayor's appointment of Heidi MacDonald to the Commission on American Indian and Alaska Native Affairs
- f. [EC-23-395](#) Mayor's reappointment of Ms. Kim Gleason to the Commission on American Indian and Alaska Native Affairs
- g. [EC-23-396](#) Mayor's re-appointment of Dr. Kerry J. Howe to the Water Protection Advisory Board
- h. [EC-23-397](#) Mayor's appointment of Ms. Chas L. Tso to the Commission on American

Indian and Alaska Native Affairs

- i. [EC-23-398](#) Mayor's appointment of Mr. James F. Pontzer to the Library Advisory Board
- j. [EC-23-399](#) Mayor's appointment of Mr. Joseph R. Montoya to the Affordable Housing Committee
- k. [EC-23-400](#) Mayor's appointment of Mrs. Laura Sandoval to the Commission on American Indian and Alaska Native Affairs
- l. [EC-23-401](#) Mayor's appointment of Dr. Justin L. Hazen to the EMS Medical Control Board
- m. [EC-23-402](#) Mayor's appointment of Dr. Neal Aj Nettersheim to the EMS Medical Control Board
- n. [OC-23-44](#) Appointment of Mr. Zander Bolyanatz to the Civilian Police Oversight Advisory Board
- o. [OC-23-45](#) Appointment of Ms. Gail Oliver to the Civilian Police Oversight Advisory Board
- p. [OC-23-46](#) Re-Appointment of Ms. Gina Montoya to the Balloon Museum Board of Trustees
- q. [R-23-179](#) Approving The Application And Petition Of Pulte Homes Of New Mexico, Inc. For Formation Of The Estates At La Cuentista Public Improvement District Pursuant To The Public Improvement District Act, NMSA 1978, § 5-11-1 To -27 (2001, As Amended Through 2019) And Chapter 5, Article 9, ROA 1994, As Amended; Making Findings In Connection With The Application And Petition And Supporting Documentation Requesting Approval Of The Formation Of The District; Determining The Real Property To Be Included Within The District And The Purposes For Which The District Is Being Formed; Approving The General Plan, Feasibility Study, Rate, Method Of Apportionment And Manner Of Collection Of A Special Levy To Be Imposed Upon Real Property Within The District, And Approving A Development Agreement For The District; Establishing Parameters For The Issuance Of Special Levy Bonds; Authorizing The District To Issue Subordinate Obligations; Providing For Governance Of The District; Providing That Bonds And Other Obligations Of The District Shall Not Be Obligations Of The City; Waiving And Canceling Certain Requirements To Formation Of A Public Improvement District; Incorporating Contingencies Excluding Certain Land From The District If And To The Extent Not Acquired By The Applicant By A Date Certain; Ratifying Certain Actions Heretofore Taken; Repealing All Actions Inconsistent With This Formation Resolution; Directing The Mailing Of A Notice Of Adoption Of This Formation Resolution By The City Clerk; And Taking Related Action (Lewis, by request)

9. ANNOUNCEMENTS

10. FINANCIAL INSTRUMENTS

- *a. [R-23-191](#) 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 Metropolitan Redevelopment Plan; Approving The Metropolitan Redevelopment Application Entitled "The Sixty-Six Redevelopment Tax Abatement Application"; Authorizing The Acquisition Of Land And Existing Improvements And Construction Of A Building Within The Central/Highland/Upper Nob Hill Metropolitan Redevelopment Area; Authorizing The Disposition By Lease And Sale Of The City's Interest In Such Project To Fundero Development, Inc., 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)
- b. [O-23-94](#) Approving A Project Involving Array Technologies, Inc. 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 Manufacturing Facility To Manufacture Utility Scale Solar Tracker Technology And Related Products; Authorizing The Execution Of An Intergovernmental Agreement 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, by request)

11. APPEALS

12. GENERAL PUBLIC COMMENTS

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

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

- a. [EC-23-384](#) Lease Agreement between United Association of Journeymen and Apprentices in the Plumbing and Pipefitting Industry, DBA: UA Local Union No. 412 of New Mexico, a non-profit company and the City of Albuquerque
- b. [EC-23-390](#) Community Planning Area Assessment Report - Southwest Mesa

- *c. [EC-23-405](#) Approving the SOMOS Affordable Housing Development & Disposition Agreement for MRA-Owned Land at 7200 Central Ave SE

14. FINAL ACTIONS

- *a. [R-23-198](#) Creating A Joint Air Quality Control Board Working Group Between The City And County To Recommend Improvements To The Joint Air Quality Control Board (Fiebelkorn, Benton and Peña)
- *b. [R-23-197](#) Creating A Joint City/County Working Group To Improve The Operation Of The Albuquerque-Bernalillo County Joint Air Quality Control Board (Davis)
- c. [R-23-159](#) Amending Bill Number R-13-220, Enactment Number R-2013-114, Titled: Establishing A Policy For The Timeframes For Purging Of License Plate Reader Records By The Albuquerque Police Department; To Extend The Time Period The Albuquerque Police Department May Keep Information From License Plate Readers Before Purging The Information (Grout, by request)
- d. [R-23-184](#) F/S Amending Resolution R-23-152 To Establish A Policy Prohibiting Advertising On The Exterior Of Transit Buses And Paratransit Vehicles (Benton, Grout)
- e. [R-23-187](#) Approving And Authorizing The Filing Of The Attached Grant Application For The American Rescue Plan Air Quality Monitoring Grant With The U.S. Environmental Protection Agency And Providing An Appropriation To The Environmental Health Department In Fiscal Year 2023-2024. This Grant Was Applied For April 4, 2022, And The Funds Were Received July 1, 2022. No Grant Funds Have Been Spent (Fiebelkorn, by request)
- f. [R-23-189](#) Approving The Transit Department's 2023 Updated Public Transit Agency Safety Plan (Peña, by request)
- *g. [R-23-193](#) Adjusting Fiscal Year 2023 Appropriations For Certain Funds And Programs To Provide For Actual Expenditures; And Adjusting Fiscal Year 2024 Operating, Grant, And Capital Appropriations (Bassan, by request)
- *h. [R-23-195](#) Appropriating Funds To The Capital Implementation Program For The 2023 General Obligation Program (Bassan, by request)

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

- a. [EC-23-403](#) Veto Of R-23-176: Establishing A Moratorium For The Albuquerque-Bernalillo County Air Quality Control Board To Act Under Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Board Ordinance Until February 1, 2024 (Lewis)
- b. [EC-23-404](#) Veto Of O-23-88: Repealing Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Board Ordinance; Abolishing The Current

Albuquerque-Bernalillo County Air Quality Control Board; Adopting Chapter 9, Article 5, Part 1 ROA 1994, The Joint Air Quality Control Ordinance; Creating The Albuquerque-Bernalillo County Air Quality Control Board (Lewis)

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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