

THIS AMENDMENT PASSED ON A 9-0 VOTE.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

May 4, 2026

FLOOR AMENDMENT NO. 3 TO O-26-14

AMENDMENT SPONSORED BY: Tammy Fiebelkorn

1. On page 5, line 13, amend Section 1 as follows:

**§ 9-23-7 PROHIBITION ON THE OBSTRUCTION OF PUBLIC RIGHT-OF-WAY
WITHIN AN ENCHANCED SERVICE AND SAFETY ZONE.**

**(A) Unless authorized by permit or other applicable law, ~~[it is unlawful to]~~
[no person shall] sit, sleep, lie, or camp on any public street, road, bike
path, or alley, or on any sidewalk within an Enhanced Service and Safety
Zone as designated pursuant to this Ordinance, in a manner that impedes
passage within the meaning of the Americans with Disabilities Act.**

2. On page 7, line 3, amend Section 1 as follows:

§ 9-23-12 PENALTY.

**(A) For any person who violates any City ordinance within an Enhanced
Service and Safety Zone, the City may impose the maximum fine or penalty
as provided in ROA 1994, section 1-1-99[;] [, provided, however, that a law
enforcement officer shall first verify that a written warning has been issued,
otherwise, the officer shall issue a Criminal Trespass Notification to a
person for violating this section prior to the issuance of a citation or
conducting an arrest.]**

Explanation: This amendment removes language that designates conduct as unlawful and provides a general prohibition against those acts instead. This amendment also requires that a law enforcement officer first issue a written warning and a Criminal Trespass Notification to a person violating this section prior to imposing the maximum fine or penalty.

THIS AMENDMENT PASSED ON A 5-4 VOTE.
For: Champine, Fiebelkorn, Peña, Rogers, Telles
Against: Baca, Bassan, Grout, Lewis

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

May 4, 2026

FLOOR AMENDMENT NO. 5 TO O-26-14

AMENDMENT SPONSORED BY: Stephanie W. Telles

1. On page 7, line 7, add new subsection to Section 1 as follows:

§ 9-23-13 QUARTERLY ENFORCEMENT REPORTING.

On a quarterly basis, the City shall report on enforcement actions conducted in an ESSZ, including, at a minimum, the following categories:

- (A) Number of engagements;**
- (B) Voluntary compliance rates;**
- (C) Service referrals and uptake; and**
- (D) Changes in safety indicators within the ESSZ.**

The quarterly enforcement reports shall be provided to City Council in the form of an Executive Communication.

Explanation: This amendment requires that the City provide reports on enforcement actions conducted in an ESSZ quarterly, noting specific categories. This reporting is distinct from the Annual Service Report requires by § 9-23-9.

THIS AMENDMENT PASSED ON A 9-0 VOTE.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

May 4, 2026

FLOOR AMENDMENT NO. 7 TO O-26-14

AMENDMENT SPONSORED BY: Joaquín Baca

1. On page 7, line 7, add new subsection to Section 1 as follows:

[§ 9-23-14 EXEMPTIONS; FIRST AMENDMENT ACTIVITY.

Nothing in this Ordinance shall be construed to infringe upon any activity that is protected by the First Amendment of the United States Constitution, including but not limited to the freedom of speech and the right to assemble and protest.]

Explanation: This amendment clarifies that none of the provisions of this ordinance are to be interpreted as infringing upon First Amendment protected activity.

THIS AMENDMENT FAILED ON A 3-6 VOTE.
For: Fiebelkorn, Rogers, Telles
Against: Baca, Bassan, Champine, Grout, Lewis, Peña

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

May 4, 2026

FLOOR AMENDMENT NO. 1 TO O-26-14

AMENDMENT SPONSORED BY: Stephanie W. Telles

1. On page 5, lines 13-19, amend Section 1 as follows:

~~**[\S 9-23-7 PROHIBITION ON THE OBSTRUCTION OF PUBLIC RIGHT-OF-WAY WITHIN AN ENHANCED SERVICE AND SAFETY ZONE.**~~

~~**(A) Unless authorized by permit or other applicable law, it is unlawful to sit, sleep, lie, or camp on any public street, road, bike path, or alley, or on any sidewalk within an Enhanced Service and Safety Zone as designated pursuant to this Ordinance, in a manner that impedes passage within the meaning of the Americans with Disabilities Act.]**~~

Re-number successive sections accordingly.

2. On page 7, lines 3-6, amend Section 1 as follows:

~~**[\S9-23-12 PENALTY**~~

~~**(A) For any person who violates any City ordinance within an Enhanced Service and Safety Zone, the City may impose the maximum fine or penalty as provided in ROA 1994, section 1-1-99.]**~~

Re-number successive sections accordingly.

Explanation: This amendment removes all criminal penalties, civil fines, fees, or monetary sanctions for violations of this ordinance.

THIS AMENDMENT FAILED ON A 4-5 VOTE.

For: Fiebelkorn, Peña, Rogers, Telles

Against: Baca, Bassan, Champine, Grout, Lewis

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

May 4, 2026

FLOOR AMENDMENT NO. 2 TO O-26-14

AMENDMENT SPONSORED BY: Tammy Fiebelkorn

1. On page 5, lines 13-19, amend Section 1 as follows:

**§ 9-23-7 PROHIBITION ON THE OBSTRUCTION OF PUBLIC RIGHT-OF-WAY
WITHIN AN ENCHANCED SERVICE AND SAFETY ZONE.**

**(A) Unless authorized by permit or other applicable law, it is unlawful to
[sit,] sleep, lie, or camp on any public street, road, bike path, or alley, or on
any sidewalk within an Enhanced Service and Safety Zone as designated
pursuant to this Ordinance, in a manner that impedes passage within the
meaning of the Americans with Disabilities Act.**

Explanation: This amendment removes the prohibition on sitting on a sidewalk from section 9-23-7 of this bill.

THIS AMENDMENT FAILED ON A 4-5 VOTE.
For: Fiebelkorn, Peña, Rogers, Telles
Against: Baca, Bassan, Champine, Grout, Lewis

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

May 4, 2026

FLOOR AMENDMENT NO. 4 TO O-26-14

AMENDMENT SPONSORED BY: Stephanie W. Telles

1. On page 7, line 7, add new subsection to Section 1 as follows:

[§9-23-13 ENFORCEMENT.

This section shall be enforced through non-punitive, service-oriented, and administrative responses to be determined by City administration on a case-by-case basis. No violation of this section shall result in charges, civil fines, or monetary penalties. In the event of a violation, the City may take the following actions:

(A) Issue a verbal or written notice of non-compliance;

(B) Request voluntary compliance.

(C) Offer connection to appropriate services, including Albuquerque Community Safety, behavioral health resources, or shelter services; or

(D) Initiate administrative action related to City-managed property or facilities.

Nothing in this section shall be construed to divest the City of powers to manage, regulate, or restrict the use of City-owned or controlled property to ensure safety, access, and intended use of said property.]

Explanation: This amendment limits the enforcement of this section to non-punitive actions and proscribes City enforcement action for violations of this section. This amendment also clarifies the scope of enforcement regarding City-owned or controlled property.

THIS AMENDMENT FAILED ON A 3-6 VOTE.
For: Fiebelkorn, Peña, Telles
Against: Baca, Bassan, Champine, Grout, Lewis, Rogers

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

May 4, 2026

FLOOR AMENDMENT NO. 6 TO O-26-14

AMENDMENT SPONSORED BY: Stephanie W. Telles

1. On page 5, line 20, edit subsection 9-23-8 to Section 1 as follows:

§ 9-23-8 DESIGNATION PROCESS,

(A) The Mayor may designate an Enhanced Service and Safety Zone by submitting an Executive Communication to the City Council for approval.

(B) The designation shall include a report in which the Mayor establishes the following:

(1) The purpose for the creation of the Zone.

(2) Findings that the criteria in Section § ~~[x-x-5]~~ [9-23-5] have been satisfied.

(3) The enhanced city services under § ~~[X-X-6]~~ [9-23-6] that shall be implemented.

(4) An itemized funding plan, utilizing existing departmental resources and indicating any anticipated additional funding [or reallocated funding] needs for the term of the Zone [, noting specifically (1) the increase in departmental resources required for operations and/or staffing required to implement the enhanced services in a Zone, and (2) the extent to which, if any, service reduction may occur in other areas due to the reallocation to a Zone].

(5) A summary of proposed targeted capital improvement and/or infrastructure improvements accompanied by a proposed funding plan.

(6) A description and map of the boundaries of the Zone and the real property to be included.

[(7) An analysis of the proposed ESSZ site for Business Improvement District (BID) eligibility, including efforts made to engage property owners and stakeholders in a proposed ESSZ site to create a BID rather than establish an ESSZ. The analysis shall include a detailed report of the efforts made to engage property owners and stakeholders and an analysis of whether the establishment of a BID is feasible or has been reasonably considered.]

[(7)] [(8)] Such other information necessary for the proper evaluation of the designation.

Explanation: This amendment does two things. First, this amendment clarifies that the funding plan in (B)(4) must include details of departmental resource increases for first responders (notably, police, fire, and Albuquerque Community Safety) and solid waste. Second, this amendment mandates that an ESSZ site must include an analysis of the site's eligibility for a BID, including efforts to engage property owners and stakeholders in a proposed ESSZ to create a BID.