



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, August 21, 2023

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

City of Albuquerque Government Center

TWENTY-FIFTH COUNCIL - THIRTY-FIFTH MEETING

Public Comment Sign Up for August 21, 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/aug-21-2023-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/81963174476>
- Webinar ID: 81963174476
- (669) 900-6833 // 819 6317 4476

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/tSgri2DmMQc?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**

August 7, 2023

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

Finance and Government Operations Committee - August 14, 2023

Land Use, Planning and Zoning Committee - August 16, 2023

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

- a. [EC-23-318](#) Approval of the Risk Third Supplemental Agreement to add funds for Outside Counsel Legal Services between YLaw P.C. and the City of Albuquerque
- b. [EC-23-319](#) Approval of the Risk Second Supplemental Agreement to add funds for Outside Counsel Legal Services Between Modrall Sperlberg Roel Harris & Sisk, P.A. and the City of Albuquerque
- c. [EC-23-320](#) Legal Department's Quarterly Litigation Report for the 3rd Quarter of FY 2023 (Greater than 10,000)
- d. [EC-23-321](#) Mayor's Recommendation of Engineering Consultants to INTERA, Tetra Tech, and Wilson & Co for City Wide On-Call Environmental Engineering Services
- e. [EC-23-322](#) Mayor's Recommendation of Award (ROA) to First Nations Community HealthSource for "Assisted Outpatient Treatment Program"
- f. [EC-23-323](#) David Moya requests Extension of Right of Way Vacation at 9700 Central Avenue within all or a portion of: Lots 19 Thru 27 Block 10 zoned MX-M, located at 9700 Central SW between 98th/Central and

- 94th/Central containing approximately 0.11 acre(s)
- g. [EC-23-324](#) Age-Friendly Quarterly Update for Q3 FY 2023
 - h. [EC-23-325](#) Mayor's Recommendation of Award for Architectural Consultants to H+M Design Group, SMPC, and Wilson & Co. for City Wide On-Call Architectural Services
 - i. [EC-23-326](#) Approval of the Third Supplemental Agreement to add funds for Outside Counsel Legal Services between Robles, Rael & Anaya, P.C. and the City of Albuquerque
 - j. [EC-23-327](#) Approval to increase the maximum contract amount for Strategic Planning Services for the Aviation Department
 - k. [EC-23-328](#) Mayor's appointment of Mrs. Dagney Townsend to the Old Town Portal Market Advisory Board
 - l. [EC-23-329](#) Mayor's re-appointment of Mr. Darrell Kundargi to the Water Protection Advisory Board
 - m. [EC-23-330](#) Mayor's appointment of Ms. Saige Stewart to the ABQ Volunteers Advisory Board
 - n. [EC-23-331](#) Mayor's appointment of Ms. Melani Buchanan Farmer to the ABQ Volunteers Advisory Board
 - o. [EC-23-333](#) Mayor's appointment of Ms. Harper Correia-Kuehn to the Biological Park Board
 - p. [EC-23-334](#) Mayor's appointment of Ms. Celina A. Martinez to the Youth Advisory Council
 - q. [EC-23-335](#) Mayor's re-appointment of Ms. Keely Frazier to the Para Transit Advisory Board
 - r. [EC-23-336](#) Mayor's appointment of Ms. Winifred Whiteman-Jennings to the Biological Park Board
 - *s. [EC-23-340](#) Authorization to Supplement a Professional Technical Agreement with Albuquerque Behavioral Health to Provide Substance Use Treatment
 - t. [OC-23-37](#) Appointment of Mr. James M. Collie to the Board of Ethics & Campaign Practices
 - u. [R-23-121](#) Directing The Department Of Family And Community Services To Enter Into A Memorandum Of Understanding With Bernalillo County To Allocate Funds To The Metropolitan Detention Center For Opioid Treatment And Recovery (Peña)

9. ANNOUNCEMENTS

10. FINANCIAL INSTRUMENTS**11. GENERAL PUBLIC COMMENTS**

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

12. APPEALS**13. APPROVALS: {Contracts, Agreements, and Appointments}**

- a. [EC-23-332](#) Appointment of Matthew Whelan to the position of Deputy Chief Administrative Officer

14. FINAL ACTIONS

- a. [O-23-69](#) Amending The Short-Term Rental Ordinance, Section 13-19-1 Through 13-19-8 Of The Albuquerque City Code, In Order To Require All Short-Term Rental Units To Have A Local Property Manager Available To Respond To Maintenance And Security Concerns; Limit Short-Term Rental Permits To Three Per Natural Person; Limit The Number Of Short-Term Rental Permits Issued City-Wide To No More 1,200; And Increasing The Civil Penalties For Noncompliance With This Ordinance, As Amended (Benton, Fiebelkorn by request)

[A floor substitute for O-23-69 may be moved that adjusts the title as follows: Amending The Short-Term Rental Ordinance, Section 13-19-1 Through 13-19-8 Of The Albuquerque City Code, In Order To Add A Separation Distance Between Short Term Rental Permits; And Removing Criminal Penalties For Noncompliance With This Ordinance And Clarifying The Administrative Appeal Process For Civil Penalties.]

- b. [O-23-82](#) Amending Certain Portions Of Chapter 2, Article 6 Of The City's Code Of Ordinances, Known As The Commission On Domestic Violence And Sexual Assault (Jones, Fiebelkorn, Grout, and Peña by request)

- c. [R-23-152](#) Directing The Transit Department To Establish A Policy For Removing Bus Wraps From Buses And Developing A Plan To Provide Adequate Advertising Space Inside Of Buses, At Bus Stops, And Other Locations Where It Is Most Appropriate (Benton)

- *d. [R-23-158](#) Amending The Level A Community Framework Plan For Mesa Del Sol To Change The Allowable Maximum Building Height In The 92 -Acre Urban Center From 60-Feet To 80-Feet And Up To 128-Feet With Applicable Height Bonuses And Would Not Change The Maximum Building Height In The 88-Acre Community Center Of 60-Feet, But Would Allow Up To 84-Feet With Applicable Height Bonuses (Davis, by request)

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.

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