

MINUTES
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD N.W.
BOARD OF TRUSTEES REGULAR MEETING
MARCH 13, 2013 - 7:00 p.m.

Present:

Larry P. Abraham, Mayor
Don Lopez, Trustee / Mayor Pro Tem
Pablo Rael, Trustee
Tim McDonough, Trustee

Kelly S. Ward, Administrator
Annabelle Silvas, Clerk
Bill Chappell, Attorney
Fred Radosevich, Public Safety Director
Linda Seebach, P & Z Director
Nancy Haines, Treasurer

Excused Absence: Mary Homan, Trustee

Mayor Abraham called the meeting to order at 7:05 p.m.

1. CALL TO ORDER

A. APPROVAL OF AGENDA

MOTION: **Trustee Lopez** moved approval of the Agenda. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously 2-0.

2. PUBLIC COMMENT PERIOD

There were no public comments.

3. CONSENT AGENDA

A. MINUTES – FEBRUARY 13, 2013 – REGULAR MEETING

B. DEPARTMENT AND COMMITTEE REPORTS

1. ANIMAL CONTROL

Trustee Lopez stated that on the February 13th meeting minutes on Page 4, Line 8, the word “vise” should be corrected to “vice.”

MOTION: **Trustee Rael** moved approval of the Consent Agenda with a correction to the minutes. **Trustee Lopez** seconded the motion.

VOTE: The motion carried unanimously 2-0.

Trustee McDonough arrived and joined the meeting.

4. REPORTS

A. MAYOR'S REPORT

Mayor Abraham reported on the following:

- Various land improvements are still occurring at the Agri-Nature Center
- Staff continues to make improvements in time for the Lavender in the Village which will take place on July 13 and July 14, 2013
- In cooperation with the Bernalillo County Fire Department, the Village will be holding it's annual Easter Egg Hunt on Saturday, March 30, at Hartnett Park at 10:00 a.m.
- April 13 is the last Winter Growers' Market before the regular season begins every Saturday starting May 4.
- The Village has \$681,000 of capital outlay for the Fourth Street project that is in conjunction with four legislators – O'Neil, Sandoval, Cane, and Ryan. The Village has written a letter to Governor Susana Martinez explaining the importance of the project and the amount of developmental impact it will have in the Village.

B. ADMINISTRATOR'S REPORT

Administrator Ward reported on the following:

- Rio Grande Community Farm is holding their Spring Break Farm Camp at the Agri-Nature Center March 11 – March 15 from 9:00 a.m. – 3:00 p.m. The camp allows children to learn about soil, sun, water, pollinators, and food. The ages are kindergarten through fifth grade.
- The Village will begin developing the next fiscal year budget soon, including and items about healthcare costs an increase of approximately 12% for medical, 5% for dental, and about 4% for vision.
- The Village received a letter from Waste Management of New Mexico clarifying an error made in the previous meeting about the fuel charge increases. The effective date was mistakenly reported as July 1, 2013, but the effective date should have been reported as April 1, 2013.
- Village resident, Quinn Timmey, reached out to the Village via email explaining that the City of Albuquerque utilizes a contract with Fredman Recycling for free curbside recycling services for City of Albuquerque residents. She is currently being charges a recycling fee by Waste Management and requested the Village consider jumping on the same Fredman Recycling contract. The Village's Waste Management contract is set to expire on September 30, 2013. The contract will automatically extend for another four years if the Village takes no action. However, if the Village chooses to place a Request for Proposal (RFP), then notice to Waste Management is required by March 30, 2013. No other inquiries or complaints have been received by the Village thus far.

Trustee McDonough asked who else provides similar services with comparative rates.

Administrator Ward said he was not aware of any other company that provides full service to municipalities, but a company named Roadrunner services smaller areas such as subdivisions. There is also a company named All American who does commercial pickup per individual contracts with businesses in very focused areas. Mr. Ward said the last time the Village sent out an RFP, All American did respond to it, however, they were unable to meet the insurance requirement therefore their submittal was deemed insufficient.

Trustee McDonough asked if the Village could renegotiate the terms with Waste Management.

Administrator Ward said Waste Management's extension agreement is for the same contract terms and services.

Attorney Chappell said if the Village gives Waste Management notice by March 31, then the Village would need to re-bid. Renegotiating contract terms and services would not be permissible. If no contact is made with Waste Management, then the 4-year contract will be extended with the same terms and services.

Mayor Abraham said that most of the Village residents seem to be satisfied with Waste Management's services.

C. PLANNER'S REPORT

Planner Seebach reported on the following:

- The EPA has issued their draft permit for the Village's consideration. There will be an EPA meeting on March 20 for the permit piece only. Public notice will be sent out for this meeting. Public meetings will also take place in the Albuquerque area, but no dates have been determined yet.
- Ms. Seebach attended the Water Conservation and Low Impact Development Conference.
- The Planning and Zoning Department just issued a new Certificate of Occupancy for a house on El Prado. There is also a new house going up in Tinnan Farms. Ms. Seebach is also meeting with contractors this week about three new houses that are going to be built in the Village.
- O'Reilly Auto Parts is considering a site development plan on Fourth Street and Mullen Road. There is also a site development plan in for the brewpub in Rancho Villa, which will come to the Board after they apply for their alcohol and gaming license.

D. LEGAL REPORT

Attorney Chappell reported on the following:

- Received a call from Billy Marciando about Liz Sanchez and he will follow-up on that.
- He provided a CD with a complete set of all the ordinances that are currently in affect in the Village, including several that did not get in to the prior codification but were still being used. Mr. Chappell requested that everyone review them to ensure proper placement so they are listed in a systematic way. He said there will be a vote to adopt the codification, a vote to the agreement to

it cleanup so there are no repetitive provisions or grammatical errors, then a vote to make amendments to the ordinances that should be amended or where there is a conflict.

E. PUBLIC SAFETY REPORT

Public Safety Director Fred Radosevich reported on the following:

- He attended a police chief's meeting in Santa Fe
- He went to the legislator several times on law enforcement issues
- There were also a couple of citizen corps meetings with Jeff Phillips, the emergency manager for the Village. The next citizen corps meeting will be on March 23 and April 27 at Village Hall.
- During January and February, the Bernalillo County Sheriff's Department handled 462 calls in the Village. The Bernalillo County Fire Department handled 131 calls in the Village. The majority of the calls were minor speed violations, stop sign violations, and graffiti reports on Guadalupe Trail.
- The Village staff is completing weekly safety training sessions in the regular staff meetings.
- The Village received a grant from Bernalillo County through the State of New Mexico on some portable radios and a base station radio. This means that if the Village ever needed to operate as a temporary emergency operations center, the Village would have communications with various emergency personnel.
- He continues to assist animal patrol and code enforcement. The court case has been resolved from Nara Visa Lane. The property has been cleaned up and the Village will continue to monitor it.

Trustee Lopez asked if Albuquerque Public Schools (APS) has reached out to the Village about updating their emergency action plans for shooting incidents.

Director Radosevich said he has not talked to them directly, but Bernalillo County Sheriff's Office Lieutenant McCarthy has been meeting with APS and their plans have been reviewed consistently.

F. MUNICIPAL COURT REPORT

Judge Robert Maw reported on the following:

- He has completed several weddings in Village Hall and there are about three more scheduled to take place.
- Some zoning matters have surfaced with the court but the problems have been able to be resolved before court proceedings were necessary

Trustee Rael asked if Judge Maw would be attending the Judges Command Performance meeting May 1 through May 3.

Judge Maw said he will be attending that meeting as well as the monthly meetings held at the Judicial Education Center for the National Judicial Council.

5. FINANCIAL BUSINESS

A. CASH REPORT –FEBRUARY

Treasurer Haines stated that the Village’s ending cash balance at February 28 was \$6,046,395.45, which represented an increase of \$246,349.59 from the prior month. The year to date excess of revenues over expenditures is \$663,864.01. The Village is continuing on the path of being over \$700,000 ahead of budget.

MOTION: Trustee Lopez moved approval of the Cash Report. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously 3-0.

6. PUBLIC HEARINGS AND APPLICATIONS

There are no public hearings.

7. OLD BUSINESS

A. DISCUSSION AND APPROVAL TO ADOPT AN ORDINANCE GRANTING ZAYO GROUP A TELECOMMUNICATIONS FRANCHISE

Administrator Ward said that last month there was an action in front of the Board to advertise and the Village has advertised. He said this vote is the approval of the franchise and, from here, the Village will then advertise in full by advertising twice within the 30 days. The Village worked with Attorney Chappell to cleanup some small language items in the ordinance and Zayo Group agreed with the changes.

Royal Harrison asked if the Village was able to find out any additional information about Sprint paying their gross receipts tax.

Administrator Ward said he has not been able to make contact with Sprint yet, but will continue to try.

MOTION: Trustee Lopez moved approval to adopt Ordinance # 237. **Trustee Rael** seconded the motion.

ROLL CALL VOTE: Trustee McDonough-aye; Trustee Lopez-aye; Trustee Rael-aye.

VOTE: The motion carried unanimously 3-0.

8. NEW BUSINESS

A. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2013-3-1 – A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND PUBLIC NOTICE REQUIRED

MOTION: Trustee Rael moved approval to adopt Resolution No. 2013.3.1. Trustee McDonough seconded the motion.

ROLL CALL VOTE: Trustee McDonough-aye; Trustee Lopez-aye; Trustee Rael-aye.

VOTE: The motion carried unanimously 3-0.

9. TRUSTEES INFORMAL DISCUSSION

Trustee Rael asked Attorney Chappell if he was able to find out anything regarding the modular homes and if they are allowed in the Village.

Attorney Chappell said he was not able to find anything specific to modular housing but that it was his belief that if a modular house is permanently set on a foundation and is constructed onsite then the Village would be hard pressed to prohibit that practice. However, manufactured housing falls within a different category.

Trustee Lopez asked about the low water supply issue for the summer and is hoping the Village can solicit advertising for the Village Vision Magazine from the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) on domestic use water conservation.

Mayor Abraham suggested that the Village use ABCWUA's tips and possibly write the Village's own article around domestic user water conversation.

10. ADJOURNMENT

The meeting was adjourned at 7:43 P.M.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque this _____ day of _____, 2013.

ATTEST:

Annabelle Silvas, Village Clerk