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

6 **Present:**

7 Larry P. Abraham, Mayor
8 Don Lopez, Trustee / Mayor Pro Tem
9 Pablo Rael, Trustee
10 Mary Homan, Trustee **excused*
11 Tim McDonough, Trustee

Kelly S. Ward, Administrator
Stephanie Dominguez, Clerk
Nancy Haines, Treasurer
Linda Seebach, P & Z Director
Bill Chappell, Attorney

13
14 **1. CALL TO ORDER**

15
16 **Mayor Abraham** called the meeting to order at 7:01 P.M.

17
18 **A. APPROVAL OF AGENDA**

19
20 **MOTION:** **Trustee Rael** moved approval of the agenda. **Trustee Lopez** seconded the
21 motion.

22
23 **VOTE:** The motion carried, 3-0.

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26 **2. PUBLIC COMMENT PERIOD**

27
28 **Marsha Thom**, 5545 Eakes Road NW, said last month she made a presentation
29 proposing an amendment to the dark skies ordinance at the October 9 meeting, adding a
30 provision stating that no lights shall be used to illuminate a sports court activity such as
31 tennis, basketball, swimming, etc., located in the residential zones within the Village of
32 Los Ranchos. She said she has not heard anything since then, yet there are three
33 amendments to ordinances that are to be discussed tonight. She is requesting that if a
34 presentation to the Board of Trustees about the amendment is not the proper protocol,
35 then someone from Village Hall call her and tell her how to proceed.

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38 **3. PRESENTATIONS**

39
40 **A. LOS RANCHOS 4-H CLUB**

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42 **Administrator Ward** said the Los Ranchos 4-H Club used to be the Corralitos 4-H Club
43 from Corrales. They moved into Los Ranchos a number of years ago and are now called

1 the Los Ranchos 4-H Club. They have been doing great things in and around the
2 community and members of the 4-H Club in attendance tonight will come up and
3 introduce themselves and briefly explain some of the projects they have been working on
4 lately.

5
6 B. PASEO DEL NORTE HIGH CAPACITY TRANSIT STUDY PRESENTED BY
7 TONY SYLVESTER, SPECIAL PROJECTS MANAGER, MRCOG – RMRTD
8

9 **Tony Sylvester**, Special Project Manager with the Mid Region Council of Government,
10 Rio Metro Regional Transit District (MRCOG, RMRTD) made a presentation titled
11 Paseo del Norte High Capacity Transit Study: Draft Locally Preferred Alternative to the
12 Board of Trustees.

13
14 **Trustee McDonough** asked if any representatives of the Village of Los Ranchos
15 participated in the study.

16
17 **Tony Sylvester** said the study was conducted with participants from the City of
18 Albuquerque, Bernalillo County, and Sandoval County.

19
20 **Mayor Abraham** said he would like to strike Locally Preferred from the title of the
21 study since this is not the preferred alternative for the Village.

22
23 **Trustee Rael** said he would like the RMRTD to look into additional means of
24 North/South transportation besides Unser and Coors. He feels as though the remedies to
25 alleviate infrastructural transportation issues focus solely on East/West transportation
26 routes.

27
28 **Trustee McDonough** said he would like RMRTD to explore other options to alleviate
29 congestion issues such as working with employers to stagger work hours. There are
30 better options to address congestion issues without investing in infrastructure. The plan
31 outlined in the presentation is the same approach to a systemic problem, we must
32 maximize what we have in order to minimize environmental impacts and address issues
33 associated with growth.

34
35 **Mayor Abraham** expressed discontent with RMRTD's decision not include the Village
36 in the survey given the legal parameters RMRTD would have to navigate in order to
37 implement this plan in the Village.

38
39 **Tony Sylvester** said this presentation provides a platform to address legal and
40 operational challenges.

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44 **4. CONSENT AGENDA**

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46 There will be no separate discussion of these items. If discussion is desired, that item
47 will be removed from the consent agenda and will be considered separately.

48
49 A. MINUTES – OCTOBER 9, 2013 – REGULAR MEETING

1 B. DEPARTMENT AND COMMITTEE REPORTS

2 1. ANIMAL CONTROL

3
4 **Trustee Rael** said page 10, line 41-42, it says “he asked why the Village would wouldn’t
5 pay that to allow for a clean RFP” but it should say, “he asked why the Village wouldn’t
6 pay that to allow for a clean RFP”.

7
8 **MOTION: Trustee Rael** moved approval of the consent agenda, with changes to the
9 minutes. **Trustee Lopez** seconded the motion.

10
11 **VOTE:** The motion carried unanimously, 3-0.

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14 **5. REPORTS**

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16 **A. MAYOR'S REPORT**

17 **Mayor Abraham** reported on the following:

- 18
- 19 • There was a bear around the Village, but it was not captured in the
20 Village.
 - 21
 - 22 • There was a serious incident in the Village involving Bernalillo
23 County Sheriff’s Office (BCSO) Deputy Robin Hopkins. A chase
24 occurred in Los Ranchos, which ended with some very serious wounds
25 to this deputy. The husband of Deputy Hopkins explained her injuries
26 saying she sustained a single gunshot wound from a high-powered rifle
27 bullet to her left thigh very high up and close to her left hip. The bullet
28 passed completely through her thigh and, in the process, shattered her
29 left femoral bone and completely destroyed most of the arterial and
30 venous blood vessels in her left leg that provide blood flow to and
31 from this extremity. A tourniquet placed by her fellow deputies on her
32 leg stopped the massive bleeding, and BCFD medics from Station 30
33 transported her to UNMH. Deputy Hopkins has had vascular surgical
34 repair to the arterial and venous blood vessels that could be saved to
35 restore blood flow to her left leg. She has undergone several surgeries
36 to help treat swelling in her leg and maintain the viability of her thigh
37 and lower leg muscles and has now finally been able to have all the
38 surgical wounds closed. The broken femur is being managed with a
39 special orthopedic device temporarily to stabilize the broken bone, and
40 she plans to have the final repair of her femur performed within the
41 next few weeks.
 - 42
 - 43 • The Los Ranchos Growers’ Market has reported that is was a rough
44 year for growers in New Mexico, vendors were down about 11%,

- 1 attendance was down about 14% due to weather, conditions, and
- 2 people just trying to save money.
- 3
- 4 • The Village staff also had a Halloween pumpkin-carving contest, took
- 5 a group photo, and placed it on the Village’s Facebook page.
- 6
- 7 • The North Fourth Holiday Stop & Shop is on December 7-8. Mayor
- 8 Abraham will be appearing on KASA-FOX 2 New Mexico Style Show
- 9 on Friday, December 6 at 8:00 A.M., promoting the event.
- 10

11 **B. ADMINISTRATOR'S REPORT**

12 **Administrator Ward** reported on the following:

- 13
- 14 • The January Board of Trustees meeting falls on January 8, and is
- 15 requesting that the meeting be moved to January 15 instead. There
- 16 were no objections by the Board.
- 17
- 18 • The legislative session will begin in January. If a legislative meeting
- 19 needs to be done prior to that, then the Village can put it on the
- 20 schedule.
- 21

22 **C. PLANNER’S REPORT**

23 **Planner Seebach** reported on the following:

- 24
- 25 • The Calle del Pajarito project in concert with Querencia Green Plan
- 26 Presentation meeting was held on Saturday. It went very well, there
- 27 was fair attendance and participation among neighbors. Querencia
- 28 Green plans to make a presentation to the Board in December. The
- 29 EPA grant was only for design work, there were no funds in the grant
- 30 for project implementation.
- 31
- 32 • North Rio Grande Character Area study was handed out last Board
- 33 Meeting. Staff is requesting direction as to what, if anything, should be
- 34 done.
- 35
- 36 • In determining what the next steps for Codification would be, it was
- 37 determined that a general “clean up” be accomplished for certain
- 38 sections of the Zone Code. I am working on the next step, which is an
- 39 incorporation of the changes to the A-1 Zone Adopted in September
- 40 being made for the rest of the residential/commercial zones. Once that
- 41 is accomplished, we can move on to look at other issues within the
- 42 Ordinances.
- 43
- 44

- Keen, with Code Enforcement, has been replacing all the street signs in the Village. Planning and Zoning sent out 494 business registrations for next year. This includes both home occupation and commercial businesses.

D. LEGAL REPORT

Attorney Chappell reported on the following:

- Codification work is continuing. He is working on the issues in the ordinances that are conflicting and that have been adopted. Also, he is going through the ordinances that have technical changes.
- OMNI Corp is also ongoing. There have been some hearings set on some of the motions that were made.
- Connections to the sewer and the appeals are continuing as well, including the Shen appeal.

6. FINANCIAL BUSINESS

A. FY 2013 VILLAGE AUDIT PRESENTED BY RICCI AND COMPANY

Treasurer Haines reported that the Village’s audit has been completed, submitted to the state auditor, and approved.

Herman Chavez, manager at Ricci & Company, said the audit went smoothly and appreciated the Village working with them.

Colleen Gabaldon, senior supervisor at Ricci & Company, explained what a qualified opinion and unqualified opinion is when it comes to an auditor’s report.

Herman Chavez and **Donna Peace** reviewed highlights of the audit report, including the balance sheet, general fund, income statement, return on assets, general funds total revenue, intergovernmental revenues as a percentage of gross, and expenses.

Colleen Gabaldon provided an overview of the internal controls and compliance report. They found no findings of internal control and no issues with compliance.

MOTION: Trustee Lopez moved approval of the audit as presented. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously, 3-0.

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3 **B. CASH REPORT – OCTOBER 2013**
4

5 **Treasurer Haines** reported that the Village’s ending cash balance as of October 31, 2013,
6 was \$6,633,141.16, which represents an increase of \$67,915.30 from last month. The
7 year-to-date excess of revenues over expenditures is \$165,447.65. There were no
8 unusual items with one significant item, which was a quarterly expense to the fire
9 department of \$110,000.

10
11 **Trustee Lopez** asked if the Bernalillo County Sheriff’s Office expenditure occurs in the
12 third quarter.

13
14 **Treasurer Haines** said it was a monthly expenditure.

15
16 **MOTION:** **Trustee McDonough** moved approval to **Trustee Rael** seconded the
17 motion.

18
19 **VOTE:** The motion carried unanimously, 3-0.

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22 **8. PUBLIC HEARINGS AND APPLICATIONS**
23

24 There were no public hearings.
25

26
27 **9. OLD BUSINESS**
28

29 A. DISCUSSION AND ADOPTION OF RESOLUTION NO. 2013-11-1
30 ENTERING INTO A COOPERATIVE AGREEMENT, CREATING THE MIDDLE
31 RIO GRANDE MS4 TECHNICAL ADVISORY GROUP, IN SUPPORT OF
32 COMPLIANCE EFFORTS FOR A STORMWATER DISCHARGE PERMITTING
33 SYSTEM FOR THE MIDDLE RIO GRANDE VALLEY IN ACCORDANCE WITH
34 THE FEDERAL CLEAN WATER ACT.
35

36 **Planner Seebach** said there were already a handful of groups that have joined the
37 cooperative agreement and believes there is a benefit to having these resources.

38
39 **MOTION:** **Trustee McDonough** moved approval of Resolution No. 2013-11-1.
40 **Trustee Lopez** seconded the motion.

41
42 **VOTE:** The motion carried unanimously, 3-0.

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44 **ROLL CALL VOTE:** **Trustee McDonough-aye; Trustee Lopez-aye; Trustee Rael-**
45 **aye.**
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B. DISCUSSION AND APPROVAL TO AWARD REQUEST FOR PROPOSAL RFP# 2013-01 FOR AGRICULTURAL LEASE FOR FARMING ON LOS RANCHOS LANDS.

Administrator Ward said the Village received one phone call that was inquiring about the RFP, but did not receive any proposals from any parties.

MOTION: Trustee Lopez moved approval to award request for proposal RFP# 2013-01 for Agricultural Lease for Farming on Los Ranchos Lands. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously, 3-0.

C. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2013-11-2 AN ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE AND THE COUNTY OF BERNALILLO FOR LAW ENFORCEMENT SERVICES FOR ALLOCATION OF LAW ENFORCEMENT RESOURCES.

Administrator Ward said the Village had worked on this with the County and includes a dedicated sergeant to Los Ranchos who would be housed at Village Hall. This is an addendum to the previous agreement. A mutual aide agreement between the Village and Bernalillo County will be on the agenda for the next meeting.

Trustee Lopez asked if dates will be put in the addendum.

Administrator Ward said they would be inserted.

Attorney Chappell said he would be more comfortable if the agreement stated that the deputy would work full-time in the Village.

Administrator Ward said the language can be clarified so it shows that he would be working in Los Ranchos full-time but if the Bernalillo County Sheriff's Office needs him for an emergency, they would be able to call on him. He would report for work based on the hours the Village gives him.

Trustee Lopez said if there is a significant emergency in the Village, is he also able to call on county resources for assistance?

Administrator Ward said that other county resources would always be available to assist and the same number of officers would still be patrolling the Village as before. This person would be dedicated solely to Los Ranchos.

Mayor Abraham said this position would be very similar to what Fred Radosevich did for Los Ranchos.

1 **Attorney Chappell** said that it would be good to get, in writing, something that explains
2 that just because the Village will have a full-time BCSO Deputy, does not mean that
3 BCSO can allocate the manpower they currently have patrolling the Village to
4 somewhere else.

5
6 **Mayor Abraham** said the Village will be interviewing candidates and will have
7 discussion with the Bernalillo County Sheriff's Office.

8
9 **MOTION: Trustee Rael** moved approval of Resolution No. 2013-11-2 with
10 clarifications explaining that this position is assigned full-time to the Village. **Trustee**
11 **Lopez** seconded the motion.

12
13 **VOTE:** The motion carried unanimously, 3-0.

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

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21 **10. NEW BUSINESS**

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23 **A. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2013-11-3**
24 **CALLING THE MARCH 4, 2014 REGULAR MUNICIPAL ELECTION**

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26 **Administrator Ward** said the Village has to call the election for March 4, 2014, for two
27 trustees and the municipal judge for a four-year term. The declarations of candidacy are
28 due on Tuesday, February 7, 2014.

29
30 **MOTION: Trustee Lopez** moved approval of Resolution No. 2013-11-3 calling the
31 March 4, 2014 Regular Municipal Election. **Trustee Rael** seconded the motion.

32
33 **VOTE:** The motion carried unanimously, 3-0.

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

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39 **B. DISCUSSION AND APPROVAL TO ADVERTISE AN AMENDMENT TO**
40 **THE 2013 CODIFIED ORDINANCES OF THE VILLAGE OS LOS RANCHOS**
41 **DE ALBUQUERQUE CHAPTER 9, SECTION 1, SUBDIVISION, VACATION,**
42 **AND DEVELOPMENT ADDING A NEW DEFINITION OF SUBDIVISION,**
43 **DELETING OUTDATED REQUIREMENTS AND MAKING CERTAIN**
44 **CORRECTIONS RELATED TO DEPARTMENTS OR PERSONNEL TITLES.**

45
46 **Attorney Chappell** said this is necessary, not only for typos and such to be corrected, but
47 the definition of subdivision has created several issues and needs clarification.
48
49

1 **Trustee Rael** said, on page 173, under water and liquid waste disposal services, 9.1.0,
2 Item 36.B, the “B” is crossed out. He asked if that was an error.

3
4 **Planner Seebach** said the “B” should not be crossed out and it is an error.

5
6 **Trustee Rael** asked if the words that are crossed out in this section, should be left in or
7 not, just in case they are annexed to another area or sewer issues come up, then maybe it
8 should be left in.

9
10 **Attorney Chappell** said the way it was worded left some flexibility in the description.

11
12 **MOTION:** **Trustee McDonough** moved approval to advertise the ordinance in
13 summary. **Trustee Rael** seconded the motion.

14
15 **VOTE:** The motion carried unanimously, 3-0.

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18 **C. DISCUSSION AND APPROVAL TO ADVERTISE AN AMENDMENT TO**
19 **THE 2013 CODIFIED ORDINANCES OF THE VILLAGE OF LOS RANCHOS**
20 **DE ALBUQUERQUE CHAPTER 9, SECTION 2, 9.2.25 APPLICATION AND**
21 **APPROVAL PROCESS, REORGANIZING AND RENUMBERING, CHANGING**
22 **ALLOWABLE AREA FOR HOME OCCUPATIONS, ADDING**
23 **CLARIFICATION TO CERTAIN ITEMS, DELETING OUTDATED**
24 **REQUIREMENTS AND MAKING CERTAIN CORRECTIONS RELATED TO**
25 **DEPARTMENTS OR PERSONNEL TITLES.**

26
27 **Planner Seebach** said it was primarily for reorganizational housekeeping items and
28 getting everything numbered correctly. The one major change that was made was
29 limiting home occupations to 500 square feet. She said this is a fairer standard basis for
30 home occupations around the Village. The home occupation allowable area of the home
31 was changed from 25% of the dwelling and 1,000 square feet of an ancillary building to a
32 limitation of 500 square feet of the residence or ancillary building. This change from
33 25% to 500 square feet was made due to difference in size of homes in the Village. For
34 example, a 10,000 square foot home would be allowed 2,500 square feet for a home
35 occupation and 1,000 square feet in an ancillary building, where a 3,000 square foot
36 home would be allowed 750 square feet and 1,000 square feet in an ancillary building.
37 This change will not affect existing home occupation licenses, only future home
38 occupation permits.

39
40 **Trustee Rael** asked what people would do at the end of the year when they apply for a
41 renewal – will the Village have to apply the new rules?

42
43 **Attorney Chappell** said they each have an annual permit, not a grandfathered permit of
44 renewals unless it is specifically adopted in the ordinance.

45
46 **Trustee McDonough** asked Planner Seebach to confirm if there is a Bed and Breakfast
47 that operates under a home occupation in the Village.

1 **Planner Seebach** said that is incorrect. There is a separate section for a Bed and
2 Breakfast.

3
4 **Administrator Ward** asked the Board if they would like the Village to solicit some
5 public comment on the item, instead of just advertising it.

6
7 **Attorney Chappell** said the Village might want to consider having the lesser of X
8 percent or 500 square feet.

9
10 **Administrator Ward** said the Village could look at the initial applications and get a feel
11 for them and get a feel for where everyone is.

12
13 **Trustee McDonough** suggested that the Village advertise it at 500 square feet and then
14 make the official call in the December 2013 meeting.

15
16 **Mayor Abraham** said he agrees.

17
18 **MOTION:** **Trustee Rael** moved approval to advertise the ordinance in summary.
19 **Trustee McDonough** seconded the motion.

20
21 **VOTE:** The motion carried unanimously, 3-0.

22
23 **D. DISCUSSION AND APPROVAL TO ADVERTISE REQUEST FOR**
24 **PROPOSAL RFP# 2013-02 FOURTH STREET REVITALIZATION AND**
25 **REDESIGN PLANNING**

26
27 **Administrator Ward** said in the October 2013 Board of Trustees meeting, it was
28 suggested that the Village look at a Planning Phase and try to build a more
29 comprehensive plan around Fourth Street and this RFP should achieve that.

30
31 **Trustee Lopez** asked if part of the reason for this RFP is to show progress on spending
32 the state's money.

33
34 **Administrator Ward** said the Village would do this either way and said he idea of doing
35 both of the RFPs now, in this form, is to have the expenditures qualify for reimbursement
36 the state.

37
38 **Trustee Rael** had some grammatical corrections in the RFP and asked why points are
39 being used to award the RFP when the language states it will be awarded to the most
40 advantageous applicant.

41
42 **Administrator Ward** said the RFP legal language was borrowed from other
43 governmental RFPs.

44
45 **Attorney Chappell** said the reason the RFP criterion appears as stated is for public
46 entities. It lets you make some discretionary decisions, to the extent that you can, for
47 intangibles that you cannot quantify with the system.

1 **Trustee Rael** said he wants to be fair and would like to see the “most advantageous”
2 language removed.

3
4 **Trustee McDonough** said he would like to that reference removed from the RFP as well.

5
6 **Trustee Lopez** also agreed.

7
8 **MOTION: Trustee Lopez** moved approval to advertise Request for Proposal for RFP#
9 2013-02 with the changes mentioned. **Trustee McDonough** seconded the motion.

10
11 **VOTE:** The motion carried unanimously, 3-0.

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14 **E. DISCUSSION AND APPROVAL TO REQUEST FOR PROPOSAL RFP#**
15 **2013-03 FOURTH STREET RIGHT OF WAY SURVEY**

16
17 **Administrator Ward** said the Village needs an accurate survey of Fourth Street.
18 Feedback on technical items is welcomed.

19
20 **Trustee Lopez** said that when the word survey is used, it should be all encompassing.

21
22 **Trustee Rael** requested clarification on some items in the RFP.

23
24 **Trustee McDonough** asked for some changes in the verbiage in the RFP.

25
26 **MOTION: Trustee Rael** moved approval to advertise Request for Proposal for RFP#
27 2013-03. **Trustee Lopez** seconded the motion.

28
29 **VOTE:** The motion carried unanimously, 3-0.

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33 **9. TRUSTEES INFORMAL DISCUSSION**

34
35 Members of the Board discussed various informal topics. No action was taken.

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39 **10. ADJOURNMENT**

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41 The meeting was adjourned at 9:34 P.M.

42
43 **APPROVED** by the Board of Trustees of the Village of Los Ranchos de Albuquerque this
44 _____ day of _____, 2013.

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ATTEST:

Stephanie Dominguez, Village Clerk