

MINUTES
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD NW
BOARD OF TRUSTEES REGULAR MEETING
June 13, 2018 - 7:00 P.M.

Present:

Don Lopez, Trustee /Mayor Pro Tem/Mayor	Kelly S. Ward, Administrator
Pablo Rael, Trustee	Stephanie Dominguez, Clerk
Mary Homan, Trustee	Nancy Haines, Treasurer
Allen Lewis, Trustee	Bill Chappell, Attorney
	Tim McDonough, Planning & Zoning Director

1. CALL TO ORDER

A. APPROVAL OF AGENDA

Mayor Pro Tem Lopez called the meeting to order at 7:00 p.m.

MOTION: **Trustee Lewis** moved approval of the agenda. **Trustee Homan** seconded the motion.

VOTE: The motion carried, 3-0 (Mayor Pro Tem Lopez did not vote).

2. PUBLIC COMMENT PERIOD [3 MINUTE TIME LIMIT] - (PLEASE SIGN IN WITH THE CLERK IF YOU WISH TO SPEAK UNDER PUBLIC COMMENT ON AN ITEM THAT IS NOT ALREADY ON THIS AGENDA)

1. **John McDowell**, 7201 Guadalupe Trail, said I came to speak about the traffic issue on Guadalupe Trail. There is a lot of speeding and I do not see any visible patrol. Two Saturdays ago, there was a crash, someone hit the fence diagonally from me. I suggest conducting a study comparing speeding on east/west and north/south streets that have a center line down the middle to those that do not have a marked line. Fourth Street will now be 25 mph which will increase the traffic on Guadalupe Trail.

2. **Camille Varoz**, 427 El Paraiso, said I have concerns about the waiver approval for the sale of alcohol. The votes go in favor of the sale of alcohol to a lot of eating establishments. I requested a list of individuals that have LLC's or private investments in alcohol establishments within our Village from the New Mexico Alcohol and Gaming Division. I would like there to be some transparency as to who is on the Planning and

Zoning Commission or Trustees that are in positions of LLC's or silent investors. There could be a conflict of interest and a sway of the votes.

3. **Keith Baird**, 913 Green Valley/Village Shops Los Ranchos/Vernon's/Café 365, said I want to say a few words about the effects of construction on the businesses on Fourth Street. The Village promised some means of getting the word out that businesses are open and operating. I have two tenants that are having issues, it would be nice if we could get some of our best resources used for that purpose. Resources come from gross receipts collected, so it behooves us to enhance the businesses on Fourth Street. I asked the possibility of having a video that would present the finished construction product. The website shows a video of the construction, but we know what is going on. I brought a contractor to the Village that could provide a video of the finished product and I have heard nothing. We were promised that the Village would help the businesses.

4. **Leah Persons** said I will speak about an agenda item.

5. **Chris Chant** said I will speak about an agenda item.

3. **PRESENTATIONS**

A. LAVENDER IN THE VILLAGE JULY 7, 2018 - PRESENTED BY DAVID HUDSON.

David Hudson provided an overview of the upcoming Lavender in the Village Festival.

4. **CONSENT AGENDA**

There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. MINUTES – MAY 9, 2018 – REGULAR MEETING.

B. MINUTES – MAY 14, 2018 – SPECIAL MEETING.

MOTION: **Trustee Homan** moved approval of the consent agenda with the following corrections to the May 9, 2018 minutes: adding a “t” to budget under agenda item 6.B. and Trustee Rael asking the hours of operation under agenda item 7.C. **Trustee Rael** seconded the motion.

VOTE: The motion carried, 3-0 (Mayor Pro Tem Lopez did not vote).

Trustee Homan clarified that items 4.A. and 4.B. were approved.

5. **REPORTS**

A. **MAYOR'S REPORT**

Mayor Pro Tem Lopez reported on the following:

- Attended the Growers' Market on Saturday.

B. ADMINISTRATOR'S REPORT

Administrator Ward reported on the following:

- Hired a seasonal farm worker and park maintenance worker.
- All weeks of Farm Camp are full.
- Fourth Street – do have the challenge of the LID structures and conflicts we are finding below surface.

C. PLANNER'S REPORT

Planner McDonough reported on the following:

- Working on a phone survey for the 2030 Master Plan.
- Working on a number of archeology questions regarding the Sargeant property.

D. LEGAL REPORT

- Working with Planner McDonough on several zoning issues.
- Addressing transitional questions with the death of Mayor Abraham.

E. PUBLIC SAFETY REPORT

Fred Radosovich, Public Safety Liaison, reported on the following:

- Working with Bernalillo County on the Mutual Aid Agreement.
- Bernalillo County appointed a new fire Chief – Greg Perez.
- Month of May BCSO reported 401 activities – 71 traffic stops; 59 welfare checks; 39 - 911 hang up calls; 36 disturbances; 2 auto burglaries, 13 larcenies.

F. FOURTH STREET PROJECT REPORT

Maria Rinaldi, Fourth Street Project Manager (absent)

- Report provided under 5.B. by Administrator Ward.

6. FINANCIAL BUSINESS

A. CASH REPORTS – MAY 2018

Treasurer Haines said the ending cash balance as of May 31, 2018 is \$7,667,616.91, which is an increase of \$57,671.00 for this month. The year-to-date deficiency of revenue over expenditures is \$525,586.76. The unusual or significant items were: A payment to Sites Southwest in the amount of \$93,555.38 and Zia Engineering \$15,335.63 (General Fund – Capital Roadways); A payment to Bradburry Stamm Construction in the amount of \$110,783.40 for Fourth Street (Municipal Street Fund); a payment to Bradburry Stamm Construction in the amount of \$4,297.50 (Capital Project Infrastructure – 4th Street); expended \$40,839.50 of the Fire Protection Fund which is the amount received from the state.

MOTION: Trustee Rael moved approval of the cash reports as presented. Trustee Lewis seconded the motion.

VOTE: The motion carried unanimously, 3-0 (Mayor Pro Tem Lopez did not vote).

7. **PUBLIC HEARINGS AND APPLICATIONS**

A. A REQUEST BY JEMA SILVER, LLC, DBA LOS POBLANOS HISTORIC INN AND FARM, FOR A TRANSFER OF OWNERSHIP AND CHANGE OF LOCATION OF INTER-LOCAL DISPENSER LIQUOR LICENSE NO. 2755 WITH ON PREMISE CONSUMPTION WITH PATIO SERVICE, IN THE SU-1 ZONE OF THE SOUTH RIO GRANDE CHARACTER AREA, APPLICATION # 1085745, NM ALCOHOL AND GAMING DIVISION. THE PROPERTY IS LOCATED AT 4803 RIO GRANDE BLVD. NW, LOS RANCHOS DE ALBUQUERQUE, NM, IN THE SU-1 ZONE OF THE SOUTH RIO GRANDE CHARACTER AREA, AND IS LEGALLY KNOWN AS TRACT A1, LANDS OF ALBERT SIMMS III, FILED 7/6/67. VOL. B4 FOLIO 97 AND WARRANTY DEED FILED 9/16/78 VOL. D14A FOLIO 811-813 AND PLAT OF TRACTS A2A AND A3A, A REPLAT OF TRACTS A2 AND A3, LANDS OF ALBERT SIMMS II, VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, NEW MEXICO, DECEMBER, 1998. THE PROPERTY CONTAINS 25.6371 ACRES, MORE OR LESS.

Mayor Pro Tem Lopez requested any individual who will be speaking on Agenda Items 7.A. and 7.B. be sworn in by Attorney Chappell.

Planner McDonough said this request is for a transfer of ownership and change of location of inter-local dispenser liquor license No. 2755, a full liquor license. This use is permissive under the special use zoning approved in 2015. This request has been noticed as required and no comments have been received.

Mayor Pro Tem Lopez asked if the applicant is present.

Mathew Remebe, 4803 Rio Grande Blvd NW, said the beer and wine license has a lot of limitations. We have gone through the process of requesting public input and we feel confident we have support from the public and neighbors.

Jerry Hamm, liquor license brokerage and consulting, representing the JEMA and Los Poblanos.

Mayor Pro Tem Lopez asked if there is anyone speaking in favor of the waiver. (none)

Mayor Pro Tem Lopez asked if there are any opponents to the waiver. (none)

MOTION: **Trustee Rael** moved to approve the waiver. **Trustee Homan** seconded the motion.

VOTE: The motion carried, 3-0 (Mayor Pro Tem Lopez did not vote).

B. A REQUEST BY CHRISTINE RODRIQUEZ FOR FINAL APPROVAL OF A SITE DEVELOPMENT PLAN (SDP-18-01) FOR COMMERCIAL DEVELOPMENT IN THE GATEWAY DISTRICT ZONE OF THE FOURTH STREET COMMERCIAL CHARACTER AREA. THE PROPERTY IS LOCATED AT 8312 AND 8318 4TH STREET NW AND IS LEGALLY KNOWN AS PLAT OF LOTS A-1 AND A-2, VILLA CHRISTINA, BRING A REPLAT OF TRACT "A" PARAISO ESCONDIDO WITHIN THE TOWN OF ALAMEDA GRANT, PROJECTED SECTION 16, T11N, R3E, N.M.P.M., VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON FEBRUARY 24, 2010. THE PROPERTY CONTAINS 1.1939 ACRES MORE OR LESS.

Mayor Pro Tem Lopez requested any individual who will be speaking on Agenda Items 7.B. be sworn in by Attorney Chappell.

Planner McDonough said this site development plan is presented for final approval, the plan has been through sketch and preliminary plan review at the Planning and Zoning Commission. This property is located in the Gateway District Zone and has been functioning as a commercial property. The site development plan includes a grading and drainage plan that has been reviewed/approved by the Village Engineer. Parking and landscape plans meet the requirements of the Village. The Planning and Zoning Commission recommended approval by a vote of 6-0.

Mayor Pro Tem Lopez asked if the applicant is present.

Christine Rodriguez, 8312 Fourth Street, said the plan is to construct Villa Christina Center, which will be a small retail and office complex. We will have a small bakery on site and currently have one commercial space that is rented. There are also plans to put a two story building on the (back) eastside of the lot.

Mayor Pro Tem Lopez asked if there is anyone speaking in favor or against the request.

Chris Chant, Second Street Holdings - 8355 Second Street, said my concerns are after reviewing the drainage plan, some of the drainage is directed onto my property. It was my understanding that storm/sewer drainage is supposed to be contained on the property it originates. The other concern I have, looking at the traffic flow pattern all of the traffic exits onto my access road and there is a six-foot wall that limits the line of sight. There is

a potential danger with traffic entering and exiting from this property.

Planner McDonough said Mr. Chant has discussed these concerns with me last week. Regarding the drainage, I spoke with the engineer and there is a standard approach to drainage plans that look at pre-developed flows, historic flows, and developed flows. The concept that everything has to stay on the property is incorrect. If the property (undeveloped) slopes at a manner that drainage historically flows, it is allowed to continue with a specific calculation. The secondary question is about the line of sight, which is an issue. It is complicated because the line of sight depends on traffic speeds on the roadway, sight distances for the speeds, and the use of the roadway. The traffic volume is relatively low. Christine has ordered a mirror to give an indication of traffic. At the level of operation now it is probably sufficient, but if traffic changes then it will require additional work to ensure a clear line of sight. I would recommend a condition, if the Chants are agreeable, the line of sight will be ensured commensurate with the level of use.

Chris Chant said I think it would be appropriate to have a study done to determine what is necessary. There may be increased traffic from our site with the construction of the second building.

Mayor Pro Tem Lopez asked if this study can be conducted by the Village Engineer.

Planner McDonough said a different engineer would need to complete the study. The cost of the study would be the responsibility of the applicant.

Trustee Homan recommended addressing the issue upfront and conducting a survey.

Planner McDonough said there is an active case regarding the ownership of the road. I do not think it would be a significant effort to have an engineer conduct a study.

MOTION: **Trustee Rael** moved to defer 7.B. for one month (July 11, 2018 Board of Trustees Meeting). **Trustee Lewis** seconded the motion.

VOTE: The motion carried, 3-0 (Mayor Pro Tem Lopez did not vote).

8. OLD BUSINESS

NONE.

9. NEW BUSINESS

Mayor Pro Tem Lopez recused himself from the agenda item 9.A.

A. DISCUSSION AND APPROVAL OF RESOLUTION 2018-6-1 A RESOLUTION

APPOINTING A QUALIFIED ELECTOR TO FILL THE UNEXPIRED MAYORAL TERM.

1. APPOINTMENT AND APPROVAL OF AN ALTERNATE CHAIR
2. STATEMENT - DONALD T. LOPEZ
3. STATEMENT - JOE D. CRAIG
4. PUBLIC COMMENT (3 MINUTE TIME LIMIT)
5. IF APPOINTMENT IS APPROVED BY THE BOARD OF TRUSTEES OATH OF OFFICE - APPOINTED QUALIFIED ELECTOR.

MOTION: Trustee Rael moved to appoint Trustee Homan to serve as the alternate chair for agenda item 9.A. Trustee Lewis seconded the motion.

VOTE: The motion carried unanimously, 3-0.

Trustee Homan stated Donald Lopez and Joe Craig will each be asked to make a presentation to the Board stating the reasons each desires to become Mayor, their goals and objectives if appointed as Mayor and their qualifications to serve in the office of Mayor. Then the public will be permitted to ask questions, which will be limited to three minutes. Resumes were submitted by both candidates in the Board packets, a copy of which is in the lobby.

Mayor Pro Tem Lopez and Joe Craig made statements regarding their request to fill the vacancy for Mayor.

The following members of the public provided comments and/or asked questions directed towards Mayor Pro Tem Lopez and Joe Craig. Mayor Pro Tem Lopez and Joe Craig provided responses.

1. Camille Varoz - 427 El Paraiso
2. Leah Persons - 827 Guadalupe Trail
3. David Hudson - 529 Roehl
4. Keith Baird -913 Green Valley
5. Loretta Chavez Smith – 536 Chavez Rd
6. Bernie Sanchez – 1107 Camino del Rio (Village business owner)
7. John McDowell – 7201 Guadalupe Trail
8. Leonard Aguilar - 310 Roehl Road
9. J.T. Michaelson – 5001 Rio Grande
10. Penny Rembe – 4903 Rio Grande Blvd
11. Don Bradley – address not provided
12. Patricia Garcia Martinez (non-Village resident) Grecian/Guadalupe
13. Jeff Robb - 6507 Guadalupe Trail
14. Betty Pierson – 725 Alondra Lane
15. Mel Martinez – 6832 5th Street

Meeting in recess from 9:10p.m. – 9:16p.m.

Trustee Homan said the public discussion is closed. The Board may ask Mayor Pro Tem Lopez and Joe Craig questions. The motion or motions made by the Board may cover any aspect of the process, may reject the candidates, or may be a motion to appoint one of the candidates to fill the vacancy.

Trustee Lewis thanked the public for showing passion towards the Village and engaging in the process.

Trustee Rael said it was great hearing from the public.

Trustee Homan said she there are two great candidates to fill the vacancy of the Mayor and thanked the public for engaging in this process.

MOTION: **Trustee Rael** moved approval of Resolution 2018-6-1 to appoint Don Lopez fill the unexpired term of Mayor Abraham. **Trustee Lewis** seconded the motion.

ROLL CALL VOTE: **Trustee Rael-aye, Trustee Lewis-aye; Trustee Homan-aye.**

VOTE: The motion carried unanimously, 3-0.

Honorable Robert Maw (Municipal Judge) conducted the Oath of Office for Mayor Lopez.

Meeting in recess from 9:28p.m. – 9:31p.m.

B. DISCUSSION AND APPROVAL OF RESOLUTION 2018-6-2 A RESOLUTION PROCLAIMING DANGEROUS FIRE CONDITIONS AND EXTREME DROUGHT CONDITIONS EXISTING WITHIN THE VILLAGE OF LOS RANCHOS; BANNING OPEN BURNING AND IMPOSING RESTRICTIONS ON THE SALE AND USE OF FIREWORKS WITHIN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE.

Bernalillo County Fire Marshall – Chief Keith Clark said Bernalillo County recently passed similar restrictions and I am here to support the resolution.

MOTION: **Trustee Homan** moved approval of Resolution 2018-6-2. **Trustee Real** seconded the motion.

ROLL CALL VOTE: **Trustee Rael-aye, Trustee Homan-aye; Trustee Lewis-aye.**

VOTE: The motion carried unanimously, 3-0.

C. DISCUSSION AND APPROVAL OF RENAMING THE AGRI-NATURE

CENTER TO THE LARRY P. ABRAHAM AGRI-NATURE CENTER.

MOTION: **Trustee Rael** moved approval of renaming the Agri-Nature Center to the Larry P. Abraham Agri-Nature Center. **Trustee Lewis** seconded the motion.

VOTE: The motion carried unanimously, 3-0.

D. DISCUSSION AND APPROVAL OF HOLDING A COMMUNITY CELEBRATION HONORING LARRY P. ABRAHAM ON SUNDAY, JULY 8, 2018 AT 9:00A.M. AT THE AGRI-NATURE CENTER.

MOTION: **Trustee Lewis** moved approval of holding a community celebration honoring Larry P. Abraham on Sunday, July 8, 2018 at 9:00a.m. at the Agri-Nature Center. **Trustee Homan** seconded the motion.

VOTE: The motion carried unanimously, 3-0.

E. DISCUSSION AND APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ALBUQUERQUE AND THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE FOR EMPLOYEE GROUP BENEFITS (MEDICAL, DENTAL, LIFE, AND OTHER VOLUNTARY BENEFITS) FISCAL YEAR 2018/2019.

MOTION: **Trustee Rael** moved approval of the intergovernmental agreement. **Trustee Homan** seconded the motion.

VOTE: The motion carried unanimously, 3-0.

10. TRUSTEES ROUND TABLE (INFORMAL) DISCUSSION

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

11. ADJOURNMENT

The meeting was adjourned at 9:45P.M.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque this **11th** day of **July 2018**.

ATTEST:



Stephanie Dominguez, Village Clerk