

MINUTES
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD NW
BOARD OF TRUSTEES REGULAR MEETING
Wednesday, July 10, 2019
7:00 P.M.

Present:

Donald T. Lopez, Mayor
Mary Homan, Mayor Pro-Tem/Trustee
Allen Lewis, Trustee
Pablo Rael, Trustee
Tom Riccobene, Trustee

Tim McDonough, Acting Administrator/
Planning & Zoning Director
Danielle Sedillo-Molina, Clerk
Nann Winter, Attorney
Nancy Haines, Treasurer

Absent: NONE

The Boy Scouts led the guests in The Pledge of Allegiance.

1. CALL TO ORDER

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

MOTION: Trustee Rael moved to approve the Agenda
SECONDED: Trustee Lewis
CARRIED: Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes, Trustee Rael-Yes; Trustee Riccobene-Yes)

2. PUBLIC COMMENT PERIOD [3 MINUTE TIME LIMIT]

(SIGN IN WITH THE CLERK IF YOU WISH TO SPEAK UNDER PUBLIC COMMENT ON AN ITEM THAT IS NOT ALREADY ON THIS AGENDA)

Joe Craig, 505 Calle Del Pajarito NW:

- I. Presented neighborhood issues as a representative of the Calle Del Pajarito Neighborhood Association.
 1. Cell tower that's intrusive.
 2. Stated that five of eighteen houses are commercial businesses.
 3. Requested to be on the agenda at the August meeting.
 4. Suggested that Bernalillo County take over planning and zoning for the Village.

Mayor Lopez mentioned that staff would be preparing a detailed response to address the issues that Mr. Craig brought forward.

Betty Tichich, 6724 Edgewood Dr NW:

- I. Thanked the Village for the beautiful park at the corner of Osuna and Edgewood.
- II. Traffic on Osuna is getting worse from 2nd to 4th Street.

Mayor Lopez suggested that Public Safety Liaison Fred Radosevich to meet with Bernalillo County Sheriff's Office to come up with a solution.

- III. Issue with fireworks this year, read a letter from her neighbor.

3. PRESENTATIONS/PROCLAMATIONS

- A. AGRICULTURE AND VISION;
-DR. LAUREN GOLDSTEIN, NMSU
-MR. FERGUS WHITNEY, VILLAGE OF LOS RANCHOS

Fergus Whitney, Agriculture Program Manager

- Handed out a Booklet on Agriculture and Vision, discussed the vision of the booklet and the goals for agriculture in the Village.
- Discussed the activity and upcoming events at the Agri-Nature Center that celebrates the uniqueness of the Village.
- Thanked Dr. Lauren Goldstein for her assistance.

Dr. Lauren Goldstein, NMSU

- Discussed her background.
- Mentioned that the funds from the Thornburg Foundation are now available.
- Discussed other initiatives and how to connect them.
- Talked about strategic planning.

4. CONSENT AGENDA

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

A. MINUTES-JUNE 12, 2019-REGULAR MEETING

<u>MOTION:</u>	Trustee Rael moved to approve the minutes.
<u>SECONDED:</u>	Trustee Homan
<u>CARRIED:</u>	Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes; Trustee Rael-Yes, Trustee Riccobene-Yes)

5. REPORTS

MAYOR'S REPORT

Mayor Lopez reported on the following:

- Today, Wednesday, July 10th, there were two busloads of Deans of Agriculture, Extensions, etc., that specifically came to visit Los Ranchos Agri-Nature property, was a great visit.
- Lavender and Garlic will be on 13th of July.
- Art's Market 14th of July.
- Lavender Festival 20th -21st of July.
- The Village of Los Ranchos will be hosting the Mayor's Caucus at the Agri-Nature Center, Thursday, July 18, 2019.
- Attended the last several caucuses, with the most recent Mayor Caucus in Rio Rancho which was an event successfully raising \$100,000.00 for ARCA.

ADMINISTRATOR'S REPORT

Mr. McDonough reported on the following:

- Had been working on budget revisions.
- Working out an agreement with the managers of Triple A Storage Unit, who recently put in a letter of resignation, meeting with them next Friday to find a way for them to continue on.
- Working with Blue River Productions for the Lavender Fest, approximately 130 vendors. Working with public safety and Village staff prepping the Agri-Nature Center.
- Bed and Breakfasts are becoming more apparent within the Village, we have an existing process for approving and conditions that go along with it. We need to apply the current process to new and bring existing B&B's in compliant with that process.

Trustee Homan mentioned that we need to work on an Ordinance for a Lodger's Tax, so the B&B's are on the same playing field as the one hotel in the Village. Possibly consider putting those funds in a tourism and marketing plan.

Mayor Lopez mentioned that Acting Administrator, Tim McDonough has been doing an outstanding job.

PLANNER'S REPORT

Planner Justice reported on the following:

- Master Plan progressing smoothly, an open house was held at the end of June, eleven people not including committee members or staff attended. Draft is available on the website until July 31st, written comments will be accepted until July 15th. The deadline for photo submissions has been extended until July 31st.
- The Tourism part of the website will be available August 1st.
- A business open/closing report will be provided at the end of every quarter,

currently one in this month's packet.

- Planning on gathering data from businesses regarding the circumstances as to why they are closing.

LEGAL REPORT

Attorney Winter reported on the following:

- In the last four-five weeks we have issued a couple of legal opinions concerning metropolitan re-development act considerations.
- Process of addressing legal issues raised by the Planning and Zoning Commission concerning the grant of conditional variances.
- Addressed neighborhood zoning Air B& B issues and as election season approaches, more and more of those types of questions and concerns will be surfacing.
- Continuing negotiations with Mr. & Mrs. Unser and have a draft settlement agreement that will probably be presented at the August meeting to finally get the property transferred.

PUBLIC SAFETY REPORT

Public Safety Liaison Radosevich reported on the following:

- Continue weekly meetings with Staff.
- Meet or speak with Captain Sharp regularly.
- Meeting on the film policy, finalizing a few things.
- Fire inspection issue and a Resolution will be presented tonight.
- Sherriff's Report-474 calls, 72 traffic stops, with most of the traffic stops occurring on 4th Street.
- Citizen issues on Garduño regarding illegal activity and have made a couple of arrests. Also, complaint on 8000 block of Rio Grande, arrests were made.
- I can't say enough good things about the partnership we have with Bernalillo County Sheriff's Department and Captain Sharp.

Mayor Lopez stated that Captain Sharp attended a staff meeting and conveyed that it is his job to make the Village safe and pristine as possible, he is doing an incredible job.

PROJECT'S REPORT

Project Manager Rinaldi reported on the following:

- Most of the work on 4th Street has been completed.
- Ongoing projects, brick sidewalks, curb tie-ins, water feature, etc.
- On street parking islands will begin.
- Pending issues; Century Link duct bank.
- Working on a "no excavation zone" with Attorney Winter.
- Most of trees that looked as if they were dying, will be salvageable, those that cannot, are under warranty and will be replaced by the contractor.
- Original contract (in round numbers, excluding GRT) \$5.8 million, change

orders total \$1.34 million for a total cost to date of \$7.188 million.

- Meeting with the Village Center developer.
- Working on the film policy.
- Working on the RFP for legal services.

AGRI-NATURE CENTER REPORT

Program Manager Whitney reported on the following:

- Focus for July is on the Agri-Nature Center and all the events that are taking place.
- Final preparation for Lavender in the Village.
- Hops yard irrigation is completed.

6. FINANCIAL BUSINESS

A. CASH REPORT-JUNE 2019

Treasurer Haines reported the ending cash balance for June 30, 2019, is \$5,798,910.03, which is a decrease of \$285,907.78 for the month. Year to date deficiency of revenues over expenditures is \$1,383,499.10.

Fourth Street Project:

- Bradbury and Stamm for \$548,518.69
- Site Southwest \$66,469.67

Agri-Nature Center Remodel:

- Nieto Custom Builders; \$26,701.32
- Queston Construction Inc.; \$40,715.59

Trustee Rael and Trustee Lewis asked questions regarding payments to various vendors.

Treasurer Haines responded in detail regarding the payments made.

Mayor Lopez asked if there is a motion to approve the June Cash Report.

MOTION: Trustee Homan moved to approve the Cash Report
SECONDED: Trustee Rael
CARRIED: Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

B. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2019-7-1; 2019 FINAL QUARTER FINANCIAL REPORT, YEAR ENDING JUNE 30, 2019.

Treasurer Haines reported that it is the year end standard final report.

Mayor Lopez asked if there is a motion to approve Resolution 2019-7-1.

MOTION: Trustee Rael moved to approve the Resolution 2019-7-;

**2019 FINAL QUARTER FINANCIAL REPORT, YEAR
ENDING JUNE 30, 2019**

SECONDED:

Trustee Lewis

CARRIED:

Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

**C. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2019-7-2;
BUDGET REVISIONS FOR FISCAL YEAR 2018/2019.**

Treasurer Haines reported that this is the budget revision for the fiscal year related to one specific fund, fire protection and EMS services for this year.

Trustee Lewis stated that it seems as though this is a very large adjustment.

Treasurer Haines responded that there was a fire truck that the Village was responsible for and Gil originally did not think it was part of the Village's responsibility. However, within the Memo of Understanding it was stated that it is the Village's responsibility.

Mayor Lopez asked if there is a motion to approve Resolution 2019-7-2.

MOTION:

Trustee Homan moved to approve the Resolution 2019-7-2; BUDGET REVISIONS FOR FISCAL YEAR 2018/2019.

SECONDED:

Trustee Rael

CARRIED:

Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

**D. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2019-7-3; BUDGET
ADOPTION FOR FISCAL YEAR 2019/2020.**

Acting Administrator McDonough reported that this is the revised budget from the one that was presented in May, discussed the methodology behind the revisions and adjustments from the last draft.

Mayor Lopez expressed that the Village has been good stewards and has been handling money very well.

Trustee Lewis expressed concerns in particular areas of the budget and indicated that the Village needs to exercise caution this year, we do not have a whole lot of room for error.

Trustee Homan stated that there will be opportunities for small tweaks to the budget for mid-year adjustments if needed.

Trustee Riccobene made a motion to approve the budget with the following conditions:

1. That the \$10,020 shown in line item 45140, Department 1970, Agriculture Enterprises be moved to line item 45140, Department 1960, Public Facilities;
2. That Village Administration shall not exceed any of the Fund or Department budgets without prior Trustee approval; and
3. Further, excess cash, not spent in any fund, cannot be moved to another fund without Trustee approval.

SECONDED: Trustee Lewis

Mayor Lopez stated that they can now enter into discussion.

Trustee Homan stated that she understands the basis of Trustee Riccobene's proposal, but realistically it may not be feasible. We need to hold to the spirit of the budget as tightly as possible and leave it to the discretion of the Village Administrator and Mayor if it needs to come back to the board.

Trustee Riccobene explained that he just wants to make sure we are good stewards while providing excellent service, save money and build cash reserves.

Trustee Rael stated that he agrees with Trustee Homan in allowing staff to do their job in making the decisions as they have always notified the board of any changes.

Trustee Lewis emphasized the need to hold department heads accountable for their own budget, if they over spend, they need to explain why.

Acting Village Administrator McDonough stressed that there would be more involvement with budgets so that each department head knows what they are spending.

Mayor Lopez asserted that he will ensure that staff is mindful of their responsibilities and complimented that this is the best Village staff he has ever seen.

Trustee Homan stated that it is our duty to provide management and oversight but does not want to micromanage, asked Trustee Riccobene to repeat his motion.

Trustee Riccobene made a motion to approve the budget with the following conditions:

4. That the \$10,020 shown in line item 45140, Department 1970, Agriculture Enterprises be moved to line item 45140, Department 1960, Public Facilities;

5. That Village Administration shall not exceed any of the Fund or Department budgets without prior Trustee approval; and
6. Further, excess cash, not spent in any fund, cannot be moved to another fund without Trustee approval.

Mayor Lopez called for the vote.

CARRIED: Motion Passed 3-1 (Trustee Homan-Nay; Trustee Lewis-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

****Note: Resolution 2019-7-3, will be revised to include the changes as approved****

7. PUBLIC HEARING AND APPLICATIONS FOR APPEAL

NONE

8. OLD BUSINESS

A. DISCUSSION REGARDING THE CONSOLIDATED LOCAL ELECTION NOVEMBER 2019.

Attorney Winter clarified the terms of the ballot and attached a memo in the packet with her findings. She proposes that she forwards the memo to the County Clerk.

Trustee Rael expressed that he needed clarification regarding that if no one declares for the two-year term, what will then occur?

Trustee Homan asked what if a person that is up for a four-year renewal can they run for a two-year term?

Attorney Winter answered "yes" to Trustee Homan's question, however, needs to conduct further research in State Statute's regarding Trustee Rael's question and will get back to the board with the answer.

9. ANNOUNCEMENTS

NONE

10. NEW BUSINESS

A. DISCUSSION AND APPROVAL OF RESOLUTION 2019-7-4; A RESOLUTION ESTABLISHING FIRE INSPECTION FEES FOR THE

VILLAGE OF LOS RANCHOS DE ALBUQUERQUE AND SETTING THE FREQUENCY OF SUCH FIRE INSPECTIONS.

Public Safety Liaison Radosevich proposed to the Trustees that the Village pass the Resolution and follow Bernalillo County Fire guidelines; conduct fire inspections annually, it's a nominal fee.

Trustee Homan asked for further clarification on what is occurring now.

Public Safety Liaison Radosevich answered the question in further detail.

Fire Marshall Keith Clark for Bernalillo County stated that their primary concern is safety. Fire extinguishers are required to be inspected once a year and businesses contract with companies to do that.

Mayor Lopez asked if there is a motion to approve Resolution 2019-7-4.

MOVED: Trustee Rael moved to approve Resolution 2019-7-4; ESTABLISHING FIRE INSPECTION FEES FOR THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE AND SETTING THE FREQUENCY OF SUCH FIRE INSPECTIONS.

SECONDED: Trustee Riccobene
CARRIED: Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

B. DISCUSSION AND APPROVAL OF A VOTING DELEGATE AND ALTERNATE - 2019 NEW MEXICO MUNICIPAL LEAGUE ANNUAL CONFERENCE HELD AUGUST 28 THROUGH AUGUST 30, 2019, IN LAS CRUCES, NEW MEXICO.

Trustee Homan explained that this is an annual event, discussed the role of the New Mexico Municipal League along with the support that they provide to the Municipalities. Each year they have a business meeting where they re-elect officers as well as, new board members, adopt resolutions and include new policy updates.

MOVED: Trustee Rael motioned to make Mayor Lopez the voting member and Trustee Homan be the alternate.

SECONDED: Trustee Lewis
CARRIED: Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

- C. DISCUSSION AND APPROVAL TO ADVERTISE AN AMENDMENT TO THE 2013 CODIFIED ORDINANCES OF THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE CHAPTER 14 ARTICLE 1 AS FOLLOWS:
1. REPEALING ORDINANCE #259 ADOPTING THE NEW MEXICO TRAFFIC CODE AND THE BALANCE OF CHAPTER 14, ARTICLE 1;
 2. ADOPTING, AS SUPERSEDED CHAPTER 14, ARTICLE 1, THE NEW MEXICO UNIFORM TRAFFIC ORDINANCE (UTO) 2010 COMPILATION WITH ALL REVISIONS THROUGH 2018, EXCEPT THAT;
 3. THE UTO SECTION ADDRESSING SPEED LIMITS (CURRENTLY UTO SECTION 12-6-1.2) SHALL READ: "NO PERSON SHALL DRIVE A VEHICLE ON A HIGHWAY AT A SPEED GREATER THAN: ... TWENTY-FIVE MILES PER HOUR IN A BUSINESS OR RESIDENCE DISTRICT."

Public Safety Liaison Radosevich described the terms of what the Board had adopted back in 2017 and now proposing that the Village adopts the New Mexico Municipal League Uniform Traffic Ordinance, changing the language to read "25 miles per hour" within the Village of Los Ranchos. This is just to advertise the proposal of changing the ordinance and adopting it at the next meeting in August.

Trustee Homan asked for clarification on the current speed limit signs.

Public Safety Liaison Radosevich clarified what signs would need to be changed.

MOVED: Trustee Homan moved to advertise an amendment to the 2013 Codified Ordinance as it reads.
SECONDED: Trustee Rael
CARRIED: Motion Passed 4-0 (Trustee Homan-Yes; Trustee Lewis-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

11. **TRUSTEE INFORMAL DISCUSSION**

- A. DISCUSSION OF AVAILABILITY OF THE GOVERNING BODY FOR A SPECIAL MEETING, AT 7:00 P.M., WEDNESDAY, JULY 31, 2019.

Acting Administrator McDonough

- Working on Policies and Procedures for filming in the Village and would like to adopt a Film Policy; requests for filming and photography are becoming greater and the Village is ready to move forward.

(All Trustees minus Trustee Homan are available for the Special Meeting on Wednesday, July 31, 2019 at 7:00 p.m.).

Mayor Lopez called for a Special meeting on Wednesday, July 31, 2019 at 7:00 p.m.

Trustee Riccobene

- Do we have income or costs associated with Lavender in the Village?
(Acting Administrator McDonough said no direct costs other than preparing the facility by staff and the Village does not generate any revenue).
- Are we at risk at all and what is in place for liability?
(Acting Administrator McDonough stated that Blue River provides the Village with a certificate of liability and the property is insured under the self-insurers fund).
- Enforcement of ordinance's and code is a really important aspect in order to protect our way of life.

Trustee Rael

- Did we sign the use agreement with Lavender in the Village?
(Mayor Lopez responded that yes, the agreement for this year was signed).

Trustee Homan

- Congratulated Vernon's and Dave's Valley Grill, both were recognized in the Albuquerque's Business First. Vernon's came in as the best steak house in New Mexico and Dave's came in as a best local eatery.
- Noted that another prominent resident passed away, Jaime Deuel and would like to have an article of his passing in the Vision.
- Provided a copy to staff of the New Mexico Local Technical Assistance Course Catalog.

Trustee Lewis

- Interested to find out how the crowd will be handled at this year's Lavender Festival as it is growing every year.
- The manhole covers at the s-curve at Northdale Shopping Center needs to be addressed.
(Acting Administrator McDonough explained that it is an Albuquerque/Bernalillo County Water Utility Authority catch basin for grit, said he would follow up and see what their plan is).
- Status of a procurement officer?
(Mayor Lopez responded that both he and Danielle are confirmed for the class the last week in July).
- Where are with the hiring of a Village Administrator?
(Mayor responded that Tim McDonough will stay on until the end of the year. At the beginning of the year we will conduct a search, interview, and appoint one).

12. ADJOURNMENT

The meeting was adjourned by Mayor Lopez at 9:14 p.m.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque on this 14th of August 2019.

ATTEST:

A handwritten signature in cursive script that reads "Danielle Sedillo-Molina". The signature is written in black ink and is positioned above a horizontal line.

Danielle Sedillo-Molina, Village Clerk