

MINUTES
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD NW
BOARD OF TRUSTEES SPECIAL MEETING
CALLED BY MAYOR LOPEZ
Wednesday, July 31, 2019
7:00 P.M.

Present:

Donald T. Lopez, Mayor
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: Trustee Mary Homan-Excused

1. **CALL TO ORDER**

Mayor Lopez called the regular meeting to order at 7:02 p.m.

MOTION: Trustee Rael moved to approve the Agenda

SECONDED: Trustee Lewis

CARRIED: Motion Passed 3-0 (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. Invited the Board of Trustees to his neighborhood to see what was going on.
- II. Thanked Acting Administrator Tim McDonough and Mayor Lopez for addressing some of the issues he reported on previously.

3. **NEW BUSINESS**

- A. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2019-7-4;
ADOPTING POLICY AND PROCEDURES FOR CONDUCTING
COMMERCIAL FILM, DIGITAL VIDEO, AND STILL PHOTOGRAPHY
ACTIVITIES IN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE.

Trustee Rael noted that the number listed on the Resolution, 2019-7-4, was for a previous Resolution.

Danielle Sedillo-Molina confirmed Trustee Rael's statement, and noted the Resolution will be amended to: "RESOLUTION 2019-7-5".

Mayor Lopez asked if there is a motion and a second then will call for discussion from the audience, close the discussion, then allow the trustees to enter into their discussion.

MOVED: Trustee Lewis motioned to ADOPT POLICY AND PROCEDURES FOR CONDUCTING COMMERCIAL FILM, DIGITAL VIDEO, AND STILL PHOTOGRAPHY ACTIVITIES IN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, RESOLUTION 2019-7-5.

SECONDED: Trustee Rael

John McDowell, 2201 Guadalupe Trail:

- I. Mentioned that filming in the past had been conducted without Village or neighborhood permission. Indicated that the new policy needs to be aware of those issues, be prepared to address them, and be ready to control.

Todd Christianson, Director of the New Mexico Film Office; 111 La Jolla Road, Santa Fe New Mexico:

- I. Mentioned that the problems that were just brought up had happened in the past, took place 12-13 years ago. The permit process that the Village has come up with will address that. The policy can be changed accordingly, and it is really important for the protection of the community and for the health and welfare of the film industry.
- II. Anyone abusing the permit in any way, the Village can do things to stop it.
- III. Green Industry, it is healthy for New Mexico and Los Ranchos, including Fourth Street, not just residential.
- IV. Will be available and happy to assist the Village in any way possible.

Don Gray, Location Coordinator for the New Mexico State Film Office:

- I. It is very important to protect the local community as well as open it up to economic development.
- II. Create jobs and business opportunities for residents of New Mexico, it will benefit locally, as well as businesses.

- III. 85% of businesses that support the film industry are small businesses with ten employees or less.

Joe Craig, 505 Calle Del Pajarito NW:

- I. Big supporter of movies and film in New Mexico.
- II. Does not understand what a Resolution is, we have Ordinances, that's how we protect our Village residents. We had some substantial abuses in our residential properties.
- III. Encourage public hearings and go through planning and zoning.

Attorney Winter mentioned that she recommended a Resolution that adopts the policies and procedures. Doesn't see any criminal penalties or enforcement type language in the policy and procedures that require an ordinance. This is a new policy and you may need to change it; recommendation is to pass it as a resolution, amend it, change it, edit it, see what works or doesn't work. If at some point you want to codify it and make it a part of your ordinances, you can do that at that time.

**Amber Dodson, Film Liaison, 1501 San Patricio Ave, Albuquerque, NM
Albuquerque Film Office:**

- I. Discussed filming hours and spoke about the hours that are allowed at night in the City of Albuquerque, noted that in order to allow night filming, it requires signatures, but not until 10pm. Also looked at impact when granting permission and overcommunicates with all involved which allows for smooth production.

Dennis Muscari, 919 Wellesley Drive SE, Albuquerque, NM:

- I. Have found that the permits that are currently in use do help with the communication process, which was a big issue early on. People are OK with what's going on, if they know what's going on.
- II. Works with individuals in getting required signatures, although problems do come up, they work with those individuals to work things out.
- III. Early on, it was a lawless thing, but have learned to self-govern and as an advocate of film, hopes to be filming in the Village and doing it the right way.

Amber Dodson concurred with what Todd, Dennis, and Don all said. What she has learned is that having strong guidelines is really the key to keeping a community film friendly. Having the dedicated employees at the Village ensuring that guidelines are being enforced and followed is the crux of not having the disaster of what we have heard about happening in the past. The Village has been meticulous about what will keep the wheels greased. I fully support this process and hope you choose to approve it, keeping Los Ranchos a little more

exclusive and premier will help protect it.

J.T. Michaelson, 5001 Rio Grande Blvd NW:

- I. Rio Grande Place runs south to my property and most of the cars went up and down there, there weren't really any rules.
- II. I don't think neighbors were informed, and the procedures I have read take that in to account and has to be approved a head a time and the neighbors have to sign off that they are knowledgeable of it and they sign off and allow it to happen.
- III. I also think that people got so upset back then because Mark Caruso got \$5,000 a day and the rest of the neighbors got very little.

John Edward, Applewood Lane:

- I. Thinks the filming is great, but also has its price, profitable for the residents and the community. Develop buy in from all the neighbors, the economics and they are being compensated for their inconveniences.
- II. See more of a permanent presence of the film industry and actually set up an office in the Village of Los Ranchos.

Todd Christensen confirmed that the main house or business in the production gets the most amount of money because it is the most impacted site. Other residents that are close, depending on the circumstances and what is needed also determines the amount of money that goes to them and is based on a case by case basis. The money that is being charged for the permits and daily usage fees goes to the Village of Los Ranchos.

Maria Rinaldi, Project Coordinator, Village of Los Ranchos:

- I. The Town of Bernalillo invited the film industry and quickly realized that it is a green industry and had minimal impacts, people benefitted from it and were quite happy to receive the fees from the industry and put them back into the town, primarily to youth programs.
- II. Thinks the Village has the capacity for staff and potentially additional staff to act as liaisons with the film industry.
- III. There were no lasting negative impacts with the Town of Bernalillo, and it continues to this day.

Tim McDonough, Acting Administrator, Village of Los Ranchos:

- I. The Village has been working on this policy for several months and has collaborated with the various film offices, city and state offices and some of the residents of the Village, the policy was sifted down as to how it would best fit the Village.
- II. It requires a significant amount of notifications, the requirement of 75% of

the people in the affected area need to sign off on it and it encourages the production company to work with the neighbors, not just the affected house.

- III. This is a significant document with a lot of requirements and a lot of very specific regulations that if they don't follow, we have the ability to stop the film.
- IV. It is priced much higher than most others for filming, because we want the best and are interested in the quality.

Trustee Lewis asked:

- Administrator McDonough who is going to staff the administration of the policy?
 - *Administrator McDonough said, current staff would handle the administration of it initially, but with the fees it may generate enough revenue to hire a film liaison.*
- Who was going to enforce the permits?
 - *Administrator McDonough answered, planning and zoning with the code enforcement officer, but everyone will be involved with the enforcement.*
- Noted that wherever the Village is referred to there should be a definition in the document.
- Made a correction to page 11.

Trustee Rael mentioned that what he likes about the plan is that it requires signatures from at least three quarters of the neighborhood that way there is buy in. Need to make sure there is someone going out and getting the signatures before the permit is approved.

Made suggested changes to:

- Page six.
- Page ten.
- Pages 27 and 29, the Code of Conduct.

Trustee Riccobene mentioned that he was happy to see a lot of restrictions and that the policy is much tighter than what it was before. Brings in jobs and notoriety to the state and is in favor of the Village contributing.

- Spoke about the 300 ft. limit and the affected area of 300 ft. is not enough area.
- Liked that 75% of people are OK with the project.
- Requested information on the length of time for a production. Suggested change of production and clarify amount of time for filming, hours of operation.
- Requested that the wording in the policy to change to "still photography activities related to..."
- Questioned the liability insurance and felt that was low.
 - *Both Amber Dodson and Todd Christensen spoke on the amount of insurance required and both confirmed that the standard is one*

million dollars for a small production and depending on the amount of heavy equipment that they are moving, it can be as high as two to four million dollars in liability insurance.

- Recommend contacting the State film office to vet out production companies and report to the State who is filming in Los Ranchos.
 - *Don Gray clarified that with the incentive structure, it is in state law and that all film production companies have to meet all of their obligations to anybody in New Mexico before they get paid. If there are any issues, the need to contact their office is imperative to ensure that any problems are corrected.*
- Suggests that at some point we need to have some teeth to enforce the policy other than to shut the production down.
 - *Attorney Winter suggested that the preference is to learn to live within the document. If there are enforcements that need to be made, whether it's with code enforcement, municipal court, or using Bernalillo County Sheriff's Dept., that's the time the Village turn it into an ordinance. It can be made to be punishable by fines, but right now, the preference is to see how many times somebody is getting into trouble. It's not much to make it into an Ordinance, within 30 days.*
 - *Both Amber Dodson and Dennis Muscari discussed the safeguards in place and the importance of communications with the production companies in the event something goes wrong. Both mentioned that because it such a high dollar investment for the film industry that most often problems are worked out before it gets to the point of shutting down a production.*

John Edward suggested there should also be some type of protection for the film industry from someone from the community that is constantly complaining, they should be unable to screw up deals. There should be something in the document to protect them from someone like that, we want to be pro-business.

Trustee Lewis asked a question regarding page 13, conditions and restrictions and wanted to know the thought process behind it.

- *Acting Administrator McDonough replied, that the Village is cognizant, whoever is denied, should be afforded a path for an appeal.*

Mayor Lopez called for the Vote

Trustee Lewis **Moved to go forward with the adoption of the Resolution with the discussed changes made by staff.**

Trustee Rael: **Amended to agree with the changes.**

CARRIED: **Motion Passed 3-0 (Trustee Lewis-Yes, Trustee Rael-Yes; Trustee Riccobene-Yes)**

4. TRUSTEE INFORMAL DISCUSSION

-Trustee Lewis-None

-Trustee Rael-None

-Trustee Riccobene-None

-Mayor Lopez indicated he will be out of town for the Board of Trustees meeting on Wednesday, August 14, 2019, Mayor Pro Tem, Mary Homan will run the meeting.

5. ADJOURNMENT

The meeting was adjourned by Mayor Lopez at 8:13 p.m.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque on this 9th day of October 2019.

ATTEST:


Danielle Sedillo-Molina, Village Clerk