

MINUTES
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD NW
BOARD OF TRUSTEES REGULAR MEETING
Wednesday, January 15, 2020
7:00 P.M.

Present:

Donald T. Lopez, Mayor
Sandra Pacheco, Trustee
Pablo Rael, Trustee
Tom Riccobene, Trustee

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

Absent: Allen Lewis, Trustee-Excused

1. CALL TO ORDER

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

The Boy Scouts of America led the Pledge of Allegiance

2. ROLL CALL

Trustee Allen Lewis-Excused
Trustee Sandra Pacheco-Present
Trustee Pablo Rael-Present
Trustee Tom Riccobene-Present

Mayor Lopez welcomed new Trustee Sandra Pacheco to the Governing Body.

3. APPROVAL OF AGENDA

Mayor Lopez asked for a motion to approve the Agenda.

MOTION:

Trustee Rael moved to approve the Agenda.

SECONDED:

Trustee Riccobene

CARRIED:

Motion Passed 3-0 (Trustee Pacheco-Yes; Trustee Rael-Yes, Trustee Riccobene-Yes)

4. ORGANIZATIONAL MEETING OF THE GOVERNING BODY

- A. PURSUANT TO § 3-12-3 (1) NMSA 1978; THE BOARD OF TRUSTEES SHALL ELECT ONE OF ITS MEMBERS TO ACT AS MAYOR PRO TEM IN THE ABSENCE OF THE MAYOR: NOMINATION AND VOTE FOR MAYOR PRO TEM.

Mayor Lopez asked for a motion for nominations for Mayor Pro Tem.

MOTION: Trustee Pacheco moved to nominate Trustee Pablo Rael as Mayor Pro Tem.

SECONDED: Trustee Riccobene

**CARRIED: Roll Call Vote; Trustee Pacheco-Yes; Trustee Rael-Yes, Trustee Riccobene-Yes
Motion Carried; 3-0**

- B. PURSUANT TO § 3-11-5 NMSA 1978; THE MAYOR SHALL SUBMIT, FOR CONFIRMATION BY THE GOVERNING BODY, THE NAMES OF PERSONS WHO SHALL FILL THE APPOINTIVE OFFICES OF THE MUNICIPALITY AND THE NAMES OF PERSONS WHO SHALL BE EMPLOYED BY THE MUNICIPALITY.

1. CONFIRMATION OF VILLAGE APPOINTED EMPLOYEES:

- a) Ann Simon, Administrator
- b) Danielle Sedillo-Molina, Clerk
- c) Tiffany Justice, Planning and Zoning Director
- d) Treasurer, (*Position being advertised, Nancy Haines to continue until replacement is named*).

2. CONFIRMATION OF VILLAGE EMPLOYEES:

- a) Derrick Aldridge, Maintenance Worker II
- b) Maxine Baca, Court Clerk, (PT)
- c) Mark Garcia, Maintenance Worker I
- d) Keen Heinzelman, Facilities Maintenance Manager
- e) Cynthia Jaramillo, Exec. Assistant to the Mayor and Administrator
- f) Jennifer Schilling, Planning and Zoning Assistant
- g) Tammy Silva, Chief Financial Officer
- h) Dominic Tomba, Code Enforcement/Animal Control
- i) Keanu Valdez, Maintenance Worker I
- j) Fergus Whitney, Agricultural Program Manager
- k) Vacant, Planner

Mayor Lopez asked for approval of confirmation of appointed employees and staff.

MOTION: Trustee Rael moved to approve Village appointive employees and staff.
SECONDED: Trustee Pacheco
CARRIED: Roll Call Vote; Trustee Pacheco-Yes; Trustee Rael-Yes, Trustee Riccobene-Yes
Motion Carried; 3-0

5. 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)

Betty Tichich, 6724 Edgewood Drive NW:

- I. Discussed the power pole at park at the corner of Edgewood and Osuna. Provided documentation and the estimated costs associated with the possibilities of removing the pole from PNM. Requested that the Village pay for the costs if possible, if not, she would raise the money to cover the costs.

John McDowell, 7201 Guadalupe Trail:

- I. Spoke about the curb height outside of Kelly Jo's business on 4th Street, where he hurt himself, but did not break any bones. *Mayor asked if he could meet with María Rinaldi to show her what location he is referencing.*
- II. Requested that the Village sweep the bike trails.

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

- I. Expressed his appreciation for Tim McDonough and his dedication to the Village and is thankful for the commitment Tim has made over the course of the years.

6. PRESENTATIONS/PROCLAMATIONS

A. NONE

7. 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-DECEMBER 11, 2019; REGULAR MEETING

MOTION: Trustee Rael moved to approve the Consent Agenda.
SECONDED: Trustee Riccobene
CARRIED: Motion Passed 2-0 (Trustee Pacheco--; Trustee Rael-Yes, Trustee Riccobene-Yes)

8. REPORTS

MAYOR'S REPORT

Mayor Lopez reported on the following:

- Thanked Tim McDonough for all his work and dedication to the Village in various capacities. Tim was an incredible asset and will be missed.
- Welcomed Ann Simon as the new administrator to the Village.
- Spoke about the importance of the 2020 Census and how it is crucial that residents participate as it equates to federal dollars to our community.

ADMINISTRATOR'S REPORT

Mr. McDonough reported on the following:

- Will be interviewing for the manager position at A-AAA storage.
- Moving forward with the Village Zone appraisals.
- Improvements for the Agri-Nature Center, includes new utility lines and determining what the grand plan for the facility.
- Working with administrator, Ann Simon and transferring information to her.

Ann Simon

- Excited and looking forward to her new role.

PLANNER'S REPORT

Planner Justice reported on the following:

- Provided an update on current staff activities.
- Has been addressing short term rentals with a follow up meeting to be held on Tuesday, January 28th from 6:30-9:00pm.

LEGAL REPORT

Attorney Winter reported on the following:

- Supporting María on the closeout of the 4th street project.
- Supporting the new administrator, Ann Simon.
- Supporting the planning and zoning director on short-term rentals and will take an active role in the January 28th presentation.

PUBLIC SAFETY REPORT

Public Safety Liaison Radosevich reported on the following:

- Spent some time meeting with Captain Sharp, North Valley Commander in December.
- Working on a special events policy and have met with the stakeholders from the Lavender Festival, Grower's Market, and Arts Market. Created a subcommittee that will meet for the next three Wednesday's and have a policy in early March.
- Bernalillo County Fire Department had 122 total calls in November with 118 total calls in December.
- BCSO had 520 calls; 126 were traffic stops.

PROJECT'S REPORT

Ms. Rinaldi reported on the following:

- Provided updates to the current activities still ongoing on 4th Street.
- Provided information on activities to complete on 4th Street.
- Discussed change orders and costs associated.
- Total project cost pending potential change orders is \$7,426,614.00, with the balance to finish the contract is \$264,494.00.
- Spoke about upcoming plans with a legislative request that has been prepared for the next phase in the amount of \$8,441,000.00.

AGRI-NATURE CENTER REPORT

Program Manager Whitney reported on the following:

- March 20th the APS Garden Summit is scheduled.
- Explora has signed off on the MOU for Farm Camp.
- Classes have been finalized with NMSU Cooperative Extension Service.
- Provided dates of upcoming events, which are also on the website and Facebook.
- Working on state funding for the Agri-Nature Center.

9. FINANCIAL BUSINESS

A. DISCUSSION AND APPROVAL OF CASH REPORT-DECEMBER 2019

Nancy Haines, Treasurer reported on the following:

The ending cash balance for December 2019 is \$4,669,085.10, represents an increase of \$141,204.57. Year to date deficiency of revenues over expenditures is \$1,139,697.35.

- Significant item: payment for contract services labor totaling \$8,982.21.
- Paid \$113,300.00 to Bernalillo County Fire for the second quarter payment.

Mayor Lopez, pointed out that the Village is at 43.62% in expenditures, meaning that the Village is managing the budget very well.

Mayor Lopez asked for a motion to approve the December Cash Report.

MOTION: Trustee Rael moved to approve the December Cash Report
SECONDED: Trustee Pacheco
CARRIED: Motion Passed 3-0 (Trustee Pacheco-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

10. **PUBLIC HEARING AND APPLICATIONS FOR APPEAL**

- A. **APPEAL OF BB #550 AND CU-12-03 – AN APPEAL OF THE JUNE 11, 2019 VILLAGE OF LOS RANCHOS PLANNING AND ZONING COMMISSION DENIAL OF AN APPLICATION BY MARIA C. MONTOYA FOR A BED AND BREAKFAST PERMIT AS REQUIRED BY §9.2.25(E)(1) AND CONDITIONAL USE REQUEST TO RENT THE GUEST HOUSE IN THE A-1 ZONE OF THE NORTH RIO GRANDE CHARACTER AREA. THE PROPERTY IS LOCATED AT 8650 RIO GRANDE BLVD. NW AND IS LEGALLY KNOWN AS LOT A1 PLAT FOR LANDS OF ANNIE ROBERTSON LOTS A-1, D1 AND D2 WITHIN THE TOWN OF ALAMEDA GRANT, PROJECTED SECTIONS 16 AND 17, T. 11 N., R. 3 E., NMPM VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, OCTOBER 1996. THE PROPERTY CONTAINS 1.6 ACRES MORE OR LESS.**

(Speakers wishing to speak were sworn in by Attorney Winter)

Mayor Lopez declared: *"I would like to remind you that no factual information not available for consideration by the Planning and Zoning commission will be considered by the Board of Trustees nor will any person or entity not participating in the hearing before the Planning and Zoning commission be permitted to participate or present testimony before the board of trustees without a specific authorization by the board of trustees. Because this is being re-heard and the initial hearing was held without time limits, we will be setting a time limit of ten minutes per presenter for key points to be highlighted.*

Acting Administrator McDonough summarized the appeal.

Trustee Pacheco recused herself from this matter.

Applicant Maria Montoya spoke and emphasized several points regarding the application and why it should be considered.

David Montoya, 517 Pueblo Solano NW

- o Spoke in favor

Jacquelyn Reedy, 8640 Rio Grande Blvd

- o Spoke in opposition

Christian Reedy, 8652 Rio Grande Blvd

- o Spoke in opposition

Peter Driscoll, 8716 Rio Grande Blvd

- o Spoke in opposition

Trustee Rael and Trustee Riccobene asked several questions for clarification.

Acting Administrator McDonough and Attorney Juan Flores clarified.

Mayor Lopez asked for a motion.

MOTION:

Trustee Rael moved to deny the appeal.

SECONDED:

Trustee Riccobene

CARRIED:

**Motion Passed 2-0 (Trustee Pacheco-Recused herself;
Trustee Rael-Yes; Trustee Riccobene-Yes**

- B. LL 20-01 – A REQUEST BY BEBIDAS IV LLC, 6132 FOURTH STREET NW, LOS RANCHOS DE ALBUQUERQUE, NM FOR A TRANSFER OF OWNERSHIP OF A DISPENSER-TYPE LIQUOR LICENSE, CANOPY LIQUOR LICENSE NO. 1375, APPLICATION NO. 1143624, NM ALCOHOL AND GAMING DIVISION, IN THE FOURTH STREET CORRIDOR AND CHARACTER AREA. BEBIDAS IV LLC IS LOCATED AT 6132 FOURTH STREET NW AND IS LEGALLY KNOWN AS BLOCK A-2 REPLAT OF BLOCK A-1 & B-1 NOW BLOCKS A-2 & B-2 BOWERS SUBDIVISION, BERNALILLO COUNTY, NM FILED IN THE OFFICE OF THE BERNALILLO COUNTY CLERK ON MAY 7, 1986. THE PROPERTY CONTAINS 4.9016 ACRES MORE OR LESS.**

(Speakers wishing to speak were sworn in by Attorney Winter)

Planner Justice presented the application for a transfer ownership of a liquor license and stated that there wasn't a requirement for a distance waiver. The department recommends the approval of the transfer of liquor license No. 1375.

Mark Rhodes, attorney of the applicant, spoke and thanked Tim and planning and zoning for their assistance.

Carlos Garcia explained his intentions, plans, and vision of the facility.

Mayor Lopez asked for a motion to approve the Liquor License.

MOTION: Trustee Riccobene moved to approve the transfer of ownership of the liquor license.

SECONDED: Trustee Rael
CARRIED: Motion Passed 3-0 (Trustee Pacheco-Yes; Trustee Rael-Yes; Trustee Riccobene-Yes)

- C. SDP 19-04 – A REQUEST BY AMANDA THAIS FOR FINAL APPROVAL OF A COMMERCIAL SITE DEVELOPMENT PLAN FOR A DEVELOPMENT IN THE FOURTH STREET CORRIDOR AND CHARACTER AREA. THE PROPERTY IS LOCATED AT 8830 FOURTH STREET NW AND IS LEGALLY KNOWN AS LOT A OF THE MAGICAL TEA LAND BEING A REPLAT OF TRACT 102A-1, M.R.G.C.D. MAP NO. 24, WITHIN PROJECTED SECTION 16, T. 11 N., R. 3 E., N.M.P.M., AS PROJECTED INTO THE TOWN OF ALAMEDA GRANT, VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, FILED IN THE OFFICE OF THE BERNALILLO COUNTY CLERK ON NOVEMBER 8, 2019. THE PROPERTY CONTAINS 0.5356 ACRES MORE OR LESS.**

(Speakers wishing to speak were sworn in by Attorney Winter)

Planner Justice presented the site development plan.

Amanda Ng, 1505 San Patricio SW, Albuquerque, 87104 spoke in reference to the commercial site development.

Trustee Pacheco recused herself from this matter.

Mayor Lopez asked for a motion to approve the site development.

MOTION: Trustee Rael moved to approve the site development.
SECONDED: Trustee Riccobene
CARRIED: Motion Passed 2-0 (Trustee Pacheco-Recused herself; Trustee Rael-Yes; Trustee Riccobene-Yes)

11. OLD BUSINESS

A. NONE

12. ANNOUNCEMENTS

A. NONE

13. NEW BUSINESS

A. DISCUSSION AND APPROVAL OF RESOLUTION 2020-01-01;
ESTABLISHING THE BOARD OF TRUSTEES MEETINGS AND PUBLIC
NOTICE REQUIREMENTS AS REQUIRED BY THE NEW MEXICO OPEN
MEETINGS ACT; NMSA 1978, CHAPTER 10, ARTICLE 15.

MOTION: Trustee Rael moved to approve Resolution 2020-01-01
SECONDED: Trustee Pacheco
CARRIED: Roll Call Vote; Trustee Pacheco-Yes; Trustee Rael-Yes,
Trustee Riccobene-Yes
Motion Carried; 3-0

14. TRUSTEE INFORMAL DISCUSSION

Trustee Pacheco

- Mentioned that a pole was down at the corner of Green Valley and Rio Grande, if the Village can check on that.

Trustee Rael

- Requested that the tree sculpture in front of Village Hall be redone.
- Requested that we do not use bottled water.

Trustee Riccobene

- Expressed his excitement for business such as the Tea Room and similar business moving into the Village.
- Explained the importance of the upcoming short-term rental meeting on the 28th of January and would like to have public input.
- Gave kudos to Ms. Justice and Ms. Rinaldi on their capabilities and accomplishments.

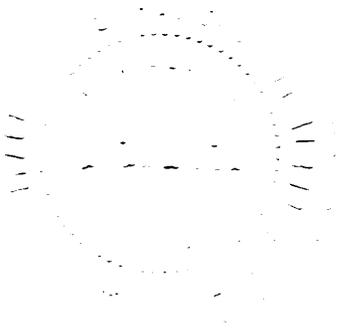
Mayor Lopez

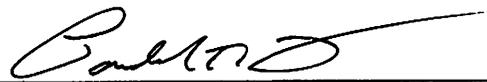
- Announced that the next Board of Trustee's meeting will be held on Wednesday, February 19th.
- Emphasized that the Governing Body will need to have a presence on various boards and committees.

15. **ADJOURNMENT**

The meeting was adjourned by Mayor Lopez at 8:35 p.m.
Seconded by Trustee Riccobene.

PASSED AND APPROVED by the Board of Trustees of the Village of Los
Ranchos de Albuquerque on this 19th day of February 2020.





Donald T. Lopez, Mayor



Danielle Sedillo-Molina, Village Clerk

