

**MINUTES**  
**VILLAGE OF LOS RANCHOS DE ALBUQUERQUE**  
**6718 RIO GRANDE BOULEVARD NW**  
**BOARD OF TRUSTEES REGULAR MEETING**  
**Video Conference**  
**Wednesday, May 13, 2020**  
**7:00 P.M.**

**Present:**

Donald T. Lopez, Mayor  
Pablo Rael, Mayor Pro Tem/Trustee  
Sandra Pacheco, Trustee  
Allen Lewis, Trustee  
Tom Riccobene, Trustee

Ann Simon, Administrator  
Danielle Sedillo-Molina, Clerk  
Nancy Haines, Treasurer  
Nann Winter, Attorney

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***\*\*\*Please note: the minutes cover both the March 18, 2020, (meeting was postponed to May 13, 2020) and the May 13, 2020, agendas. All items will be combined under its appropriate order of business.\*\*\****

**1. CALL TO ORDER**

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

Mayor Lopez read the following:

To remain in compliance with the State of New Mexico's Public Health Order dated March 23, 2020, announcing further restrictions regarding mass gatherings due to the COVID-19 pandemic, the Village of Los Ranchos de Albuquerque is live streaming this meeting on its Facebook Page, through Zoom video conferencing, and participants can also join telephonically.

The Instructions on how to participate in this meeting have been posted on the Village website for public participation.

Before the meeting continued, the Mayor gave a quick briefing:

- If the meeting is disrupted, the meeting will be suspended until the technical difficulties are resolved. If the meeting is disrupted longer than 30 minutes, notice of the reconvened meeting will be posted on the Village website with the time the meeting will be reconvening and

updated viewing information.

- In the event the meeting is disrupted, and you would like to be notified directly, please provide your name, address, and email to [dmolina@losranchosnm.gov](mailto:dmolina@losranchosnm.gov); you will be contacted as to how to reconnect to the meeting.
- All members of the governing body must identify themselves prior to speaking.
- All members of the public must identify themselves prior to speaking.
- Please allow individual speaking to finish prior to speaking in order to prevent speakers talking over each other.
- Staff has the right to remove individuals from the meeting for poor etiquette, excessive noise or any behavior deemed inappropriate.

## 2. ROLL CALL

Mayor Pro Tem/Trustee Pablo Rael-Present  
Trustee Allen Lewis-Present  
Trustee Sandra Pacheco-Present  
Trustee Tom Riccobene-Lost Connection/Present

## 3. APPROVAL OF AGENDA

**Mayor Lopez asked for a motion to approve the March/May Agenda's.**

**MOVED: Trustee Rael moved to approve the March and May Agenda's.**

**SECONDED: Trustee Pacheco-March  
Trustee Riccobene-May**

**Roll Call Vote;  
Trustee Rael-Yes/Yes  
Trustee Lewis-Yes/Yes  
Trustee Pacheco-Yes/Yes  
Trustee Riccobene-Lost connection/Yes  
Motion Passed 3-0/4-0**

**CARRIED:**

#### **4. PUBLIC COMMENT PERIOD**

No written comments were submitted to the Clerk prior to the meeting. Participants wishing to speak that registered with the Clerk prior to the beginning of the meeting, will be provided an opportunity to speak within the allotted three (3) minute time limit.

Mr. Joe Craig, 505 Calle Del Pajarito NW:

- I. Concerned about a procurement that the Village made with a vendor who is currently operating without a business license.

*Administrator Simon addressed Mr. Craig's concern and discussed the measures that the Village has put in place to prevent another occurrence.*

#### **5. PRESENTATIONS/PROCLAMATIONS**

- A. Judge Robert Maw; Update on NM Courts; Judge Maw provided a very clear and comprehensive presentation regarding the New Mexico Court System. Judge Maw clarified rules, procedures, and operates under complete transparency. He welcomed everyone to reach out to him if they have questions or concerns.
- B. David Hudson/Katie Snapp, Lavender Festival Update; There will not be a Lavender Festival this year as it is known, however, the committee will sell lavender related gift baskets and would like to utilize the Agri-Nature Center to distribute them from the facility the weekend of 11<sup>th</sup>-12<sup>th</sup> of July.

#### **6. 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. MINUTUES-FEBRUARY 19, 2020; REGULAR MEETING

**Mayor Lopez asked for a motion to approve the February 19, 2020 minutes.**

**MOVED: Trustee Rael moved to approve the February 19, 2020 minutes.**

**SECONDED: Trustee Lewis**

**ROLL CALL VOTE: Trustee Rael-Yes  
Trustee Lewis-Yes**

**CARRIED:**

**Trustee Pacheco-Yes  
Trustee Riccobene-Lost Connection  
Motion Passed 3-0**

**B. MINUTES-APRIL 22, 2020; SPECIAL MEETING**

*Trustee Lewis asked to amend the minutes, he didn't feel that the minutes captured the essence of the Special Meeting. Minutes will be revised and presented at the June 10, 2020 meeting.*

**Mayor Lopez asked for a motion to defer the minutes to June 10<sup>th</sup>.**

**MOVED:**

**Trustee Lewis moved to defer the April 22, 2020 Minutes to the June 2020 meeting.**

**SECONDED:**

**Trustee Riccobene**

**ROLL CALL VOTE:**

**Trustee Rael-Yes  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes**

**CARRIED:**

**Motion passed 4-0**

**7. DEPARTMENTAL REPORTS**

- A. MAYOR'S REPORT
- B. ADMINISTRATOR'S REPORT
- C. PLANNING & ZONING DIRECTOR'S REPORT
- D. LEGAL REPORT
- E. PUBLIC SAFETY REPORT
- F. PROJECT'S REPORT
- G. AGRI-NATURE MANAGER REPORT

All Departmental reports are presented in written format and located in the May 13, 2020 board packet.

*Trustee Pacheco asked for clarification regarding the re-opening plan for businesses in the Village.*

*Administrator Simon responded that the best means of communication will be through the Village website. The Village will be following the State of New Mexico's guidelines.*

*Trustee Pacheco recommended that the Trustees contribute articles in the*

*Village Vision as a way of communicating to the residents.*

*Trustee Rael asked if there was any information regarding the closure of Pizza Nine.*

*Director Justice indicated that she would need to check on it.*

## **8. FINANCIAL BUSINESS**

### **A. DISCUSSION AND APPROVAL OF CASH REPORT-FEBRUARY 2020**

**Nancy Haines, Treasurer** reported on the following:

The ending cash balance for February 29, 2020 was \$4,610,679.94, which is an increase of \$274,444.67. Year to date deficiency of revenues over expenditures is \$1,188,230.09.

Unusual or significant items:

- General fund – two expenditures to Bradbury & Stamm totaling \$51,268.69.

*Trustee Lewis asked for clarification of particular expenses on the February check register.*

*Treasurer Nancy Haines explained the expenditures and the purpose of the expense.*

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

**MOVED:** Trustee Lewis moved to approve the February 2020 Cash Report.

**SECONDED:** Trustee Rael

**ROLL CALL VOTE:** Trustee Rael-Yes  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes

**CARRIED:** Motion Passed 4-0

- B. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2020-03-01; AUTHORIZING THE APPROVAL OF FY 2018/2019 VILLAGE OF LOS RANCHOS DE ALBUQUERQUE FINANCIAL AUDIT IN ACCORDANCE WITH NMAC 2.2.2. (PREPARED BY JARAMILLO ACCOUNTING GROUP LLC (JAG)).**

**Mayor Lopez asked for a motion to approve the Resolution.**

**MOVED:** Trustee Lewis moved to approve Resolution No. 2020-03-01.  
**SECONDED:** Trustee Rael  
**ROLL CALL VOTE:** Trustee Rael-Yes  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes  
**CARRIED:** Motion Passed 4-0

C. DISCUSSION AND APPROVAL OF CASH REPORT-MARCH 2020

*Trustee Riccobene requested that the board go through each fund slowly when they review the April Cash Report and have an opportunity to comment on each fund and then again at the end of the report would like to provide comments.*

**Nancy Haines, Treasurer** reported on the following:

The ending cash balance for March 31, 2020, is \$5,175,756.57, which is an increase of \$565,076.63, for the month. Year to date deficiency of revenues over expenditures is \$623,153.46.

Unusual or Significant items:

- General fund— revenues—page 1, \$402,515.09 received from state of New Mexico for the Small Cities Assistance Grant.
- Also, we received \$11,522.00, from the State for street improvement.

*Trustee Rael and Trustee Lewis had several questions regarding expenses on the March check register.*

*Treasurer Nancy Haines explained the expenditures and the purpose of the expense.*

*Trustee Pacheco suggested that staff add an additional column to the check register report to include a description of the expense to reduce the amount of questions regarding the expenditure.*

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

**MOTION:** Trustee Lewis moved to approve the March 2020 Cash Report.  
**SECONDED:** Trustee Rael  
**ROLL CALL VOTE:** Trustee Rael-Yes  
Trustee Lewis-Yes

**CARRIED:**

**Trustee Pacheco-Yes  
Trustee Riccobene-Yes  
Motion Passed 4-0**

**D. DISCUSSION AND APPROVAL OF CASH REPORT-APRIL 2020**

**Nancy Haines, Treasurer** Reported on the following:

The Ending Cash Balance for April 30, 2020, is \$5,059,783.65, which is a decrease of \$115,972.92, for the month. Year to Date deficiency of revenues over expenditures is \$409,045.04.

Unusual or Significant Items:

- General Fund– Fire—IGA for Fire & EMS—page 12, \$113,300.00 for 4th quarter payment to Bernalillo County for Fire & EMS Services.
- General Fund– Capital Expenditure —Capital Buildings & Structures— page 13, \$46,872.45 to All Weather Roofing, for the re-roof of the barn.
- General Fund– Capital Expenditure —Capital Roadways, Bridges & Culverts—page 13, \$86,647.86 pay app 25 to Bradbury Stamm for 4th street revitalization.
- Fire Protection Fund—IGA for Fire Protection – page 16, \$24,434.20 to Bernalillo County for 4th quarter Fire Protection Fund distribution.

*The Trustees went through each page beginning with page 88 of the April Cash Report.*

*Questions on various funds and expenditures were asked by Trustee Riccobene, Trustee Pacheco, Trustee Rael, and Trustee Lewis.*

*Mayor Lopez, Treasurer Haines, Administrator Simon and Ms. Silva answered and addressed each question and budgeted line item.*

*Mayor Lopez shared that the last two audits the Village has been positioned positively and over the last three years the Village has been plus \$5 million dollars.*

*Trustee Lewis asked several questions regarding the expenditures on the check register, sharing his concern primarily with the Attorney fees.*

*Attorney Winter provided some clarification, however, will provide invoices to the Trustees.*

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

**MOTION:** Trustee Lewis moved to approve the April 2020 Cash Report.

**SECONDED:** Trustee Riccobene

**ROLL CALL VOTE:** Trustee Rael-Lost Power/Excused  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes

**CARRIED:** Motion passed 3-0

*Trustee Riccobene shared his concern about the budget and proposed a retreat within the next two weeks to discuss the budget and the process at the next possible date. He would like to address specific items; all contracts, personnel ordinance, personnel policies, public employee retirement, balance sheets, income statements and a preliminary budget.*

*Trustee Lewis also echoed Trustee Riccobene comments, and is also concerned about having to cut the budget considerably.*

*Mayor Lopez concurred and will move forward with scheduling a working session.*

## **9. PUBLIC HEARINGS AND APPLICATIONS FOR APPEAL**

- A. ZMA 20-01 A REQUEST BY DOUG AND VALERIE VELHAGEN FOR A ZONE MAP AMENDMENT TO CHANGE A-1 ZONING TO C-1 ZONING AS ALLOWED BY §9.2.25(E)(8), FOR A PROPERTY IN THE A-1 ZONE WITH A SPECIAL USE PERMIT FOR A COMMERCIAL BUILDING IN THE FOURTH STREET CHARACTER AREA. THE PROPERTY IS LOCATED AT 320 ROEHL RD NW AND IS LEGALLY KNOWN AS CERTAIN TRACTS OF LAND KNOWN AND DESCRIBED AS TRACT 165A2A AND TRACT 165B1B1 AS SHOWN ON MAP NO. 27 OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT, LOCATED WITHIN SECTION 16, T. 11 N., R. 3 E., N.M.P.M., AS PROJECTED INTO THE ALAMEDA GRANT, BERNALILLO COUNTY, NEW MEXICO. THE PROPERTY CONTAINS 0.51 ACRES MORE OR LESS.

*(Attorney Winter swore in Planning and Zoning Director Ms. Justice).*

Director Justice presented the zone map amendment indicating that the property is zoned A-1 residential with a Special Use Permit allowing a commercial building. The Special Use Permit was approved by Bernalillo County in 1974, before it was annexed into Los Ranchos. This zoning amendment changes the zoning from an A-1 to C-1 and the special use permit will no longer apply.

No adverse comments were received. The Planning and Zoning Commission Voted in favor. The Department recommends approval of ZMA 20-01 a request for a Zone Map Amendment to change A-1 zoning to C-1 zoning as allowed by §9.2.25(E)(8), for a property in the A-1 Zone with a Special Use Permit for a commercial building in the Fourth Street Character Area with the following Conditions and Findings:

Conditions: 1. With approval of this zone change the Special Use Permit for a commercial building no longer applies.

Doug Velhagen, 20 Canoncito Road, NE, Albuquerque, NM

*(Attorney Winter swore in Mr. Doug Velhagen).*

Mr. Velhagen spoke in favor of the zone amendment, briefly discussed his plan of providing additional rental townhomes in the Village and expressed his interest in being part of the community.

*Trustee Rael asked if there was enough space for the fire department to turnaround.*

*Mr. Velhagen responded yes; it has approved as a Fire1 Plan with Bernalillo County.*

No one spoke in opposition.

**Mayor Lopez asked for a motion to approve the Zone Map Amendment.**

**MOVED:** Trustee Rael moved to approve the ZMA 20-01.  
**SECONDED:** Trustee Pacheco

**ROLL CALL VOTE:** Trustee Rael-Yes  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes

**CARRIED:** Motion Passed 4-0

## 10. **OLD BUSINESS**

A. NONE

## 11. **ANNOUNCEMENTS**

A. NONE

**12. NEW BUSINESS**

- A. DISCUSSION AND APPROVAL OF RESOLUTION 2020-03-02; A RESOLUTION OF THE VILLAGE OF LOS RANCHOS FACILITY AND PROPERTY USE AND EVENT POLICY.

*Trustee Rael asked for clarification on specific line items of the policy.*

*Administrator Simon clarified and addressed those concerns and will modify the policy accordingly.*

**Mayor Lopez asked for a motion to approve the Resolution.**

**MOVED:** Trustee Rael moved to approve Resolution 2020-03-02.  
**SECONDED:** Trustee Lewis  
**ROLL CALL VOTE:** Trustee Rael-Yes  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes  
**CARRIED:** Motion Passed 4-0

- B. PURSUANT TO § 3-11-6 (1) NMSA 1978; THE MAYOR SHALL SUBMIT, FOR CONFIRMATION THE NAMES OF PERSONS WHO SHALL FILL THE APPOINTIVE OFFICES OF THE MUNICIPALITY TO THE BOARD OF TRUSTEES FOR APPROVAL.
  - a. CONFIRMATION OF APPOINTMENT OF WILL FISHER, VILLAGE TREASURER.

**Mayor Lopez asked for a motion to approve Mr. Will Fisher.**

**MOVED:** Trustee Pacheco moved to approve Will Fisher as Treasurer.  
**SECONDED:** Trustee Lewis  
**ROLL CALL VOTE:** Trustee Rael-Excused  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes  
**CARRIED:** Motion Passed 3-0

C. PURSUANT TO § 3-11- 6 (1) NMSA 1978; THE MAYOR SHALL SUBMIT FOR CONFIRMATION THE NAMES OF PERSONS WHO SHALL BE EMPLOYED BY THE MUNICIPALITY TO THE BOARD OF TRUSTEES FOR APPROVAL.

a. CONFIRMATION OF SABRINA APODACA, ADMINISTRATIVE ASSISTANT; AGRI-NATURE CENTER (TEMP).

**Mayor Lopez asked for a motion to approve the confirmation of Sabrina Apodaca as administrative assistant at the Agri-Nature Center.**

**MOVED:** Trustee Lewis moved to approve the confirmation.  
**SECONDED:** Trustee Pacheco

**ROLL CALL VOTE:** Trustee Rael-Excused  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Lost Connection

**CARRIED:** Motion Passed 2-0

D. DISCUSSION AND APPROVAL OF RESOLUTION 2020-05-01;  
RESOLUTION DECLARING THE INTENT OF THE BOARD OF TRUSTEES  
AUTHORIZING THE ISSUANCE AND SALE OF THE VILLAGE OF LOS  
RANCHOS DE ALBUQUERQUE EDUCATIONAL FACILITIES REFUNDING  
REVENUE BONDS; ALBUQUERQUE ACADEMY.

**Chris Muirhead, Attorney, Moddrell Law Firm, reported:**

- This is the first step in the refunding of the ten-year 2010 bond.
- The bonds are not the responsibility of the Village, solely Albuquerque Academy.
- The Ordinance will be presented at the June meeting.

**Mayor Lopez asked for a motion to approve the Resolution.**

**MOVED:** Trustee Riccobene moved to approve the  
Resolution.

**SECONDED:** Trustee Pacheco

**ROLL CALL VOTE:** Trustee Rael-Excused  
Trustee Lewis-Yes  
Trustee Pacheco-Yes  
Trustee Riccobene-Yes

**CARRIED:** Motion Passed 3-0

### 13. TRUSTEE INFORMAL DISCUSSION

#### Trustee Lewis:

- Wanted to bring to the attention of the board and staff a resident complaint regarding potholes and weeds on Garduno.

#### Trustee Pacheco:

- Pointed out that the oldest living COVID survivor lives in Los Ranchos.
- Would like to see some type of celebration, possibly at the end of the year or beginning of next year, to include the entire Village, possibly a concert at the Village Center property. Something that the Village can work on together for the future for residents and businesses alike.

#### Trustee Riccobene:

- Echoed both Trustee Lewis and Trustee Pacheco's remarks.
- Received a call from a resident regarding the trees on the westside of Fourth Street that needed attention.

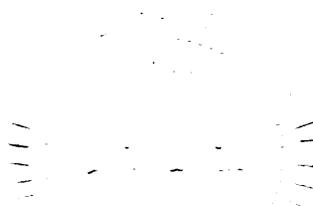
#### Mayor Lopez:

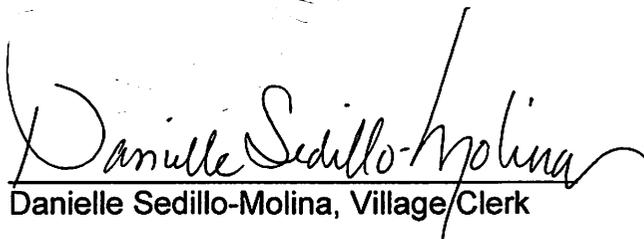
- We need to work together and make progress in the Village, it will take a while, but we will get out of it.

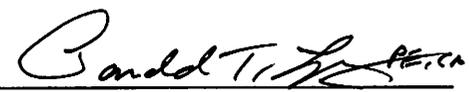
### 14. ADJOURNMENT

The meeting was adjourned by Mayor Lopez at 10:23 p.m.

PASSED AND APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque on this 13<sup>th</sup> day of May 2020.



  
Danielle Sedillo-Molina, Village Clerk

  
Donald T. Lopez, Mayor

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