

MINUTES
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD NW
BOARD OF TRUSTEES REGULAR MEETING
Video Conference
Wednesday, August 12, 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
Will Fisher, Treasurer
Nann Winter, Attorney

1. CALL TO ORDER

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

2. ROLL CALL

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

3. APPROVAL OF AGENDA

Mayor Lopez asked for a motion to approve the August Agenda.

MOVED: Trustee Rael moved to approve the Agenda.
SECONDED: Trustee Pacheco

Roll Call Vote;
Trustee Rael-Yes
Trustee Lewis-Yes
Trustee Pacheco-Yes
Trustee Riccobene-Yes
Motion Passed 4-0

CARRIED:

4. PUBLIC COMMENT PERIOD

Written comments submitted prior to the meeting were read by the Clerk:

Mr. Robert "Bob" Keers, 7037 Guadalupe Trail NW:

- I. Conveyed how upset he is with the rust that is forming on the new steel shade structures on 4th Street. Shared his expertise and advice on how to rectify the problem.

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, Pajarito NW:

- I. Spoke on the Planning and Zoning special meeting, indicated that the agenda was not posted, indicated the agenda was changed and he was cut off during his time to speak.
- II. Spoke about several concerns that we would like to speak to the Mayor and the Village Attorney regarding the planning and zoning department.

5. PRESENTATIONS/PROCLAMATIONS

A. NONE

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. MINUTES-JULY 22; REGULAR MEETING

Mayor Lopez asked for a motion to approve the minutes.

MOVED: Trustee Rael moved to approve the minutes with a correction to page 13 of 172, "Pueblo Solar" should be "Pueblo Solano"

SECONDED: Trustee Pacheco

**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. AGRI-NATURE MANAGER'S REPORT
- D. PLANNING & ZONING DIRECTOR'S REPORT
- E. PROJECT MANAGER'S REPORT
- F. PUBLIC SAFETY LIAISON'S REPORT

Administrator Simon provided updates to the submitted department report.

- a) *"Bumps" on Chavez road have been smoothed out.*
- b) *Capital Outlay funds were unfrozen, \$250K for the Agri-Nature Center, expiring in 2023, we will be moving quickly on a notice of obligation.*
- c) *Large bill for the cleanup of a problem property that is listed in the check report. The Village will be recouping all the funds through a lien on the property.*
- d) *\$3,000 grant from USTA, for keeping the tennis courts open during COVID.*

Trustee Lewis reminded the Village to keep the French drains for Enchanted Valley Circle on our radar.

Trustee Lewis asked Fergus for a description on the grants that were listed on the Agri-Nature departmental report.

Fergus Whitney provided detailed information on the two grants.

Trustee Lewis requested in the future more detail on reports for Planning and Zoning.

Trustee Lewis asked Maria Rinaldi for more information regarding the change order's on 4th Street. And asked for more information on Village Center.

(Maria was excused due to an illness)

Administrator Simon responded to Trustee Lewis questions and indicated she will be presenting more information to the board at the September meeting.

Trustee Rael commented on the dollar amounts on the Project's report, indicated that the amount was incorrect.

Trustee Rael recommended that Garduño Road be a priority street for road improvements.

Trustee Pacheco commented on placing Calle De Pajarito on the priority list for French drains.

Trustee Pacheco asked where the speed boards were going to be placed.

Public Safety Officer Fred Radosovich responded with the specific locations of where the speed boards would be located.

Trustee Pacheco asked about some dollar amounts listed on the Project's report.

Administrator Simon responded accordingly.

Trustee Riccobene asked how the Village Center documents with the developer would be disseminated for review prior to signature.

Administrator Simon responded with the tentative plan that she would send out the information but is looking at September to present it.

Trustee Riccobene also thanked Mr. Keers for bringing his concern to the Board.

8. FINANCIAL BUSINESS

A. DISCUSSION AND APPROVAL OF CASH REPORT-JULY 2020

Will Fisher, Treasurer reported on the following:

The ending cash balance for July 31, 2020 was \$5,223,880.01, which is an increase of \$45,599.25. Year to date excess of revenues over expenditures of \$45,599.25.

Unusual or significant items:

- General Fund – Miscellaneous Revenue; \$10,000.00 from Albuquerque Academy for issuers fee of revenue bond.
- General Fund—Subscriptions & Memberships; \$7,650.00 annual membership to the New Mexico Municipal League.
- General Fund-Professional Services; \$27,310.54, payment for cleanup of property.
- General Fund-Worker's Comp Insurance; \$9,780.12, annual premium for worker's comp insurance.
- General Fund-Fire Protection & EMS Services; \$113,300.00, 1st quarter payment per MOU with the County.

Trustee Lewis requested in the report a better way to address the "Year to date" explanation, difficult to understand.

Trustee Lewis also asked several other questions regarding the cash report and the check register.

CFO Silva responded accordingly.

Trustee Rael also asked a couple of questions regarding the check register.

CFO Silva answered Trustee Rael's questions.

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

MOVED: Trustee Lewis moved to approve the July 2020 Cash Report

SECONDED: Trustee Riccobene

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

CARRIED: Motion Passed 4-0

9. PUBLIC HEARINGS AND APPLICATIONS FOR APPEAL

Trustee Lewis made a statement:

"In honoring transparency, I just would like to say that on this item, I was the prior owner of this property, I sold it to the current owner, she's a friend. I do not know Mr. Shull, and I've not been in his business or the other business on the property. I do have a prior connection to this property, but I think I can be fair and unbiased in my decision in my efforts on this issue, but I did want to state that for the sake of transparency and make that statement".

- A. ZMA 20-03 A REQUEST BY JIM SHULL FOR A ZONE MAP AMENDMENT TO CHANGE R-2 ZONING TO C-1 ZONING FOR THE WESTERLY 100' ZONED R-2 AS ALLOWED BY §9.2.25(E)(8) FOR A PROPERTY IN THE C-1 AND R-2 ZONE IN THE FOURTH STREET CHARACTER AREA. THE PROPERTY IS LOCATED AT 7226 4TH STREET NW AND IS LEGALLY KNOWN AS TRACT B LA ESQUINA DE LOS RANCHOS WITHIN PROJECTED SECTION 21, T. 11 N., R. 3 E., N.M.P.M., VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS FILED IN THE OFFICE OF THE BERNALILLO COUNTY CLERK ON SEPTEMBER 29, 2008. THE PROPERTY CONTAINS 1.1226 ACRES MORE OR LESS.

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

Ms. Justice: This request is for a dual zoned lot, with the front portion zoned commercial and the back portion zoned residential.

The original request was to extend the commercial back to the entirety of their

property up to the ditch, so the proposed site plan reflects this.

However, the applicant amended their request to extend the C-1 one zone by 100 feet and the motion reflects this change. There is a site development plan for this property and includes the other track to the west of this.

This site development plan if it were to be amended or if there were to be a new site development plan would be public noticed to everyone within 300 feet of the property, the same as this application and an amendment can be approved administratively with no adverse comment, and it would go to the Commission if there were adverse comment and a new plan would go before the Commission and the Board for approval. The applicant leases the building at the back of the property to operate a brew pub approved by the conditional use, CU 15-02, the conditions of that approval only stipulate the closing times. The property and the surrounding properties on the Fourth Street character area, the properties to the east are in the unincorporated areas of Bernalillo County. The surrounding properties the front portion is zoned commercial and the back portion is zoned residential. And the following guidelines for this zone change would apply so NMSA Section 3-21-5A requires that the regulations and restrictions of any county or municipal zoning authority to be in accordance with a comprehensive plan and later on I will reference the master plan. And NMSA Section 3-21-5B says that the zoning authority should give reasonable consideration to the character of the district and its suitability for particular uses and to conserving the value of the buildings and land and encouraging the most appropriate use of land throughout the jurisdiction.

The property is in the Fourth Street character area and this character area has a combination of residential and commercial uses and zoned properties so much of the east side of Fourth Street is zoned C1 one for about 300 feet, behind that is zoned residential up the Chamisal lateral. And so, granting of the expansion of the C1 zone would still retain this residential use along the lateral and the remaining zoning, that is residential would still allow for our residents at that zoning.

There is some public interest in changing this zone, the Village received comments both in favor and the opposition of this application.

Fourth Street is the commercial corridor in the Village and to revitalize it the Village has invested in improvements public infrastructure, as we discussed a lot earlier. This encourages development along the corridor. Expansion of a C1 zone along Fourth Street allows for a wider variety of development, including commercial mixed use and higher density residential. But with this zone change the property would have a wider variety of development options at least the portion that is zoned commercial but in exchange that development would also be reviewed by the governing body and neighbors will be notified.

One of the concerns with the C1 zone is that the property owner could do anything that is permissive or conditional in that zone and not necessarily follow through with what they say they would do as part of this application as a site development plan is a separate process than the zone change. This also stays with the property in perpetuity, not necessarily with the current owner.

The Board of Trustees will not spot zone for private interest of the owner or

applicant, in this case this would not be considered spot zoning.

The property to the west and the front portion of this lot is zoned C1 and the properties immediately to the north of this application are zones C1; 350 feet from Fourth Street.

The application for this zone change however, is not warranted. So, there's some conflicting evidence for this, some will say that it is warranted in this case, dual zoned properties have to handle different development requirements on the same lot, with residential in the back behind commercial. This can create conflicts between these two different types of uses on the same property, and it also means that somebody who's accessing this back portion for residents does have to go through a business area to get through which that can reduce the desirability of the lot.

The Village's commercial zoning is a pretty narrow corridor along Fourth Street and expanding it allows for more potential commercial mixed use higher residential higher density residential uses.

The applicant desires to expand their parking in this case, which is not allowed in the R2 zone. The use is allowed in a residential zone, uses which are residential, agricultural or accessory to those uses. All parking is an accessory use when it's an accessory to a commercial use, then it becomes commercial then it would require commercial zoning for that purpose. So, with the zone change they could do more than parking, but all development would have to be reviewed by the governing body and noticed to neighbors.

The applicants proposal for this expanded parking does, however, go beyond the minimum number that's required for parking spaces for this property, the site plan had 23 parking spaces, which met the number of required parking spaces, back when this was developed and also based on our current, it also exceeds what's required. The minimum number of parking spaces was also based on there being three more 900 square foot buildings there which weren't built. So just looking at the parking requirements for the current buildings on the site, the existing parking is about double of what's required.

Some comments pointed to the use by both businesses for the same shared parking lot, the hours of operation for both businesses currently mean that there's three and a half hours Tuesdays through Fridays and six and a half hours on Saturdays of overlap if both businesses are open require parking outside of that. One of the other one of the two businesses has use of the entire lot. So, the provision of more parking the exact number of which is unknown. This can be partially accomplished through reconfiguration of the existing parking on the site development plan in the existing commercial zone. There were three proposed buildings that weren't built, and instead are now landscaping. And this landscaping well exceeds what's required for the site so additional parking spaces could be built where the proposed buildings are going to be, this would require demolition of a curb and removal landscaping.

Which is going to be harder than just laying down on vacant land, but the space in the existing zone currently exists. And so, depending on allowed occupancy of the buildings that could be some reason to allow more parking beyond the minimum if the parking is a constraint against serving the maximum allowed

occupancy. But we're not aware, the department's not aware of the occupancy of the brewery compared to the number of parking spaces on site.

There is support for the zone change within the master plan. The master plan recognizes that 300-foot guideline for commercial zoning is not a fixed value. So with all of that, the department recommends the board deny ZMA 20-03 request for zone map amendment to change R2 zoning to C1 zoning for the Westerly 100 feet as allowed by section 9.2 .25 E8 for property in the C1 and R2 zone in the Fourth Street character area with the findings that the law is dual zoned C1 and R2 to the surroundings zones are residential and commercial and the back portion, it would remain residential law is dual zone up to the lateral keeping in character with the properties along the east side of Fourth Street and still allowing the single-family residence, but the application for the zone changes not warranted. The parking already meets the minimum requirement and the site development plan can be reconfigured to add some parking in the C1 zone. The zone map amendment supported by the master plan, no application to amend the zoning for the property has been filed within the last 12 months and public notice requirements have been met.

Mayor Lopez: Before I allow questions, I'd like to let the applicant have an opportunity to speak on the request. The applicant is Mr. Jim Shull, Ms. Winter, will you please swear in Mr. Shull?

Ms. Justice: Sorry, I apologize. I had one more thing to mention, since this was a recommendation from the Planning and Zoning Commission, the Commission recommended to approve, and that vote was five to one.

(Attorney Winter swore in Mr. Jim Shull)

Jim Shull: My name is Jim Shull; I reside at 8425 Guadalupe Trail Northwest. Thank you for your time, Mayor, Trustees. I would like to talk about a couple points that I think are important. The idea that because of the two buildings were not constructed according to the site plan and that's and that we would be able to reconfigure our parking to gain more parking is like really not accurate, we have those aren't landscape areas anymore. They have been approved by the Village for outdoor seating. That's all we can have these days. And so, the entire area that's between the two buildings on the south side is already a fenced in picnic tabled patio area, outdoor area to get people outside and we don't know how long that's going to last. But, but it's a, you know, for those of the it's been there it's a really nice outdoor space right now people are enjoying being outdoors and I think that trend is going to be with us for a while, I think things have changed. Even if I didn't have patios there, if we did a demo the standing curb in the asphalt, which has about a 12 foot drop to the existing landscaping and stuff, all that would kind of get us would be some more longer parking places there wouldn't be any more room to add a third lane. So, we would already have perpendicular parking places, I'm already there. But all we would end up getting would be a wider drive lane and the exact same amount of parking spaces. So, I

know that's other we're asking for, like, more than what the Village is minimum parking requirements are, but for those of you that have been there and some of our customers are there, we have a we have a parking need. My wife owns the hair salon up front and on certain hours, we do have overlap. She has four people renting a booth, oh three people renting a booth and herself. They have clients, we have employees, and then then we have customers. And so, we really do need this extra parking to sustain the business that we've developed in the Village. And so, my understanding of this hearing is that it's just a basically like a zoning hearing and I know you're going to hear some comments coming up that are going to be talking about the landscape buffer the fencing requirements, the 400 feet of all those are conditions that I will have to abide by when we get the site plan approved and I'll have to abide by the 400 feet, anything that's in the code that talks about I'm landscape buffering or a solid fencing if it's in the code. I'm going to have to abide by it and I understand that. I think that might be my statement.

Mayor Lopez: Thank you, Mr. Shull. Does anyone have any questions for Mr. Shull at this time?

Trustee Pacheco: Thank you, Mr. Shull for your presentation, I'm looking at the property from a google earth map point of view. So, the two buildings that were proposed to go on this property when I'm looking at it from kind of the top down where were those two buildings supposed to go?

Jim Shull: They were in between the two existing buildings in that long, narrow strip, the old motel property and our and our parking lot. It's about 18 feet wide, and I want to say it's probably 60 feet long.

Trustee Pacheco: So, it's kind of the parking where there's like a parked car, pulled into a parking lot.

Jim Shull: Yeah, it would be in front of the of the parking lot. It would be south of the row of cars that you see that already striped right there, it would be in that landscape area between the motel to the south and the curb and the asphalt, that would be to the north. That was the space where those buildings were proposed.

Trustee Pacheco: So you're saying that even if you extended parking to that area now there's no way for you to configure it to allow for more parking spaces, you're saying that it would just make the parking space longer.

Jim Shull: That's correct. And that and then the meantime, we have had those outdoor seating areas approved by the state and by the Village of Los Ranchos as well. So, we have existing outdoor areas that's in that space right now. I'm sorry, those are vital to our business at this point.

Trustee Pacheco: Okay. And those are in that same area, adjacent to your

business, but in that same area?

Jim Shull: Yes, that's correct.

Trustee Pacheco: Thank you.

Mayor Lopez: Does anybody else have any questions for Mr. Shull at this time?

Trustee Rael: The 100-foot area that you're talking about, are your customers parking there now?

Jim Shull: Yes, they have been.

Trustee Rael: Do they extend any more than the 100 feet?

Jim Shull: No, I have not built, when we went through the Planning and Zoning hearing and we got approval, we talked about the 100 feet and they approved, I put up some cones that I guess are over a little bit. Mary next door told me that they're off a little bit, so those need to be corrected. And so they're cones and we did have a very busy Friday night we had the new hops from your agricultural facility and we had more people than we expected and they actually parked behind the cones and the reason I haven't put up a fence is that is obviously, we haven't gotten a full approval for that, but I'm you know I'm doing my best to keep people west of those cones, so we don't disturb our neighbors to the north.

Trustee Rael: Is the reason that they are using your patios now for customers outside is because of the pandemic and that's the reason you're losing so much parking space, is that right?

Jim Shull: No, we don't have anybody inside. And so, we don't have any more requirement than we did before it, it these tracks these old MRGCT tracks are long and narrow, by nature, and providing a commercial parking and having a commercial development amend these tracks in the Village has always been a challenge and there's really not that much commercial there's not that much adjoining commercial that you can use to expand parking and we have a lot of people that use the trail from the ditch that walk by neighboring properties they ride the bikes, they bring their dogs. But we are in a car driven society and we can have four people want to meet and have a beer and they drive, you know, four different cars. So, it's just kind of you know, I'm sure there's other people up and down Fourth Street that's the parking has been a challenge. And we're and we're definitely one of them.

Trustee Rael: On the information you submitted, there was a long list of people that were asking us to approve this, only two or three indicated they lived in the Village or the others just customers come in regularly?

Jim Shull: You know, to be honest with you, I, I truly believe that over half of our

customer base is Village residents and we didn't have addresses on that maybe that have been more helpful, we put emails instead, which of my daughter actually helped me out with that. And so, so I didn't really have a, you know, the resident nonresident like box. It was just kind of a support of a petition, we kind of did at the last minute before the for the Planning and Zoning hearing.

No other questions were posed to Mr. Shull.

Mayor Lopez: Mr. Kenny before you speak, I'm going to ask Ms. Winter to swear you in.

(Attorney Winter swore in Mr. Chris Kenny)

Chris Kenny: My address 298 Placitas Road NW, I live in the evil empire of Albuquerque, not in Los Ranchos, so I put that out there on upfront. I wanted to speak on behalf of Jim's zone change application for a couple of reasons. One, I've known Jim and Kristen for a number of years now, Jim was the assistant coach of my son's Yaffle football team. My son, Thomas attended Valley High School. We have been longtime supporters and believe very much in supporting local businesses and as I drive Fourth Street, I must congratulate the Village for its vision in investing in Fourth Street and trying to revitalize it. I've been working for years with the City of Albuquerque to try to do some similar revitalization of Fourth Street down along our stretch. I live north of Montano and just east of Fourth Street, just south of the Smiths and the Guadalupe center. They're trying to do something similar to what you have done and you know when I look, so I frequent Hops because it is the type of neighborhood establishment that really represents, in my view, the best of what Albuquerque, and the North Valley has to offer its residents. Jim and Kristin have both put in a tremendous amount of work to make both Kristin's salon and Hops a very conducive establishment for the for the Village and Jim and Kristin I know have invested a tremendous amount of blood, sweat and tears and money in trying to contribute to the overall quality of life in the Village. You know, this is not a neon light establishment that you know operates till all hours of the night, I recognize and certainly appreciate the desire to maintain the rural integrity of the Village, and at the same time, when I drive Fourth Street and I look at you know the time and energy and tax dollars that you all have invested in trying to make this corridor an exceptional place to come for people, not just from the Village, but also from surrounding areas. I just have to look at what Jim and Kristen are doing and I just, I scratch my head when I think that the type of development they are looking to accomplish here might be rejected. And I think your Zoning Commission took a similar view, I recognize that Tiffany and the department have said that this ought not to their recommendation is that this not be approved.

You know the Zoning Commission took into account, everything that Tiffany reported to you tonight and you know their vote was, you know, no this is exactly the type of thing that we've invested a whole lot of time, energy and taxpayer dollars to try to create. So, I would encourage you to continue to try look to the

future for the Village and support the type of business that Jim and Kristin have developed along Fourth Street. So, I urge that you approve this in the interest of furthering the Village's own project to revitalize this part of Fourth Street. So, thank you very much for the opportunity to speak to you tonight, I appreciate it. No questions were directed to Mr. Kenny.

Mayor Lopez: We have another individual who wants to speak in favor. Mr. Joe, Craig.

(Attorney Winter swore in Joe Craig)

Joe Craig: Thank you Mayor and Trustees. I do want to reemphasize that in the Planning and Zoning Commission, we approved the zone running south from A Tech AX propane and even chatted with Commissioner Brawley reinforcing that long, long meeting that we had Mr. Brawley even indicated he would like to see a road along the Chamisal lateral opening at railroad. My big concern and this hasn't come up is AX Propane in the middle of our commercial, industrial complex. We had Fourth Street and Second Street shut down at one time because they had a fire. These are massive propane tanks, no one seems to be concerned about that. You know, this is probably our industrial zone in the Village and to me it meets exactly what we were trying to do in Planning and Zoning what we're doing in the 2020 master plan to encourage businesses to come into the Village of Los Ranchos and bring destination customers in. So, I really want to support what Jim and his wife have been doing I've been there, I think two or three times. It's a great facility, stop by there with the Fergus's smash brew, I believe it's what they call it from our Agri-Nature Center sat out back very quiet, very peaceful, nice, small, low noise, low light kind of facility. I really hope that the trustees will approve this as Planning and Zoning Commission did, thank you.

No questions were directed to Mr. Craig.

Mayor Lopez: Mary Homan is on the line, who is opposed and would like to speak.

(Attorney Winter swore in Ms. Homan)

Mary Homan: Let me say a couple of things. First of all, from what Mr. Craig said that wasn't a fire, a tree fell on the end of the large propane tank over there and knocked the valve off and it did cause a problem. That lasted over a day over there at the propane farm and it's a conditional use property and the underlying property is in a residential area. So, if someday ever goes away, hopefully we'll have a wonderful residential area over there. So, our concerns you know we're directly north of the Shull's property, our concern is on our residential piece. Mr. Shull back in 2005 the end of 2005 when he got permission from the Village for his conditional use One of the things that

we had brought up was our concern about parking beyond the 300 and although it didn't get into the conditions it was definitely part of the discussion and it was in the meeting minutes as well as in the recording. And we were told at that time that if there was any problem with the parking going beyond the 300 feet that the Village would address it at that time. And yet well and we've brought it up a number of times now, nothing has been done so that is our concern that is out there. Before the Planning and Zoning meeting, Mr. Shull did put up and this is a few days before, he did put up a no parking beyond this point sign and although most people ignored it. But at least it did control that a little bit, but the day before that planning zoning meeting occurred, he even took that sign down. So parking is not only gone beyond 300 feet, but the cones that he has up are actually at 436 feet and they still park beyond that. So right now, he's asking parking to go to the 400 mark and we would like to support him in that with the conditions that is actually enforced that there is actually a permanent barrier where people can't go beyond that because right now the cones that he's erecting there, they're not making any headway at all, people park well beyond that.

And that is right against our residential piece of the property, our residence line starts at 350 feet. So that would allow him 50 feet beyond where ours starts. And so, we feel that that is reasonable, we could live with that 50 feet. Now, I must point out that, on page 82 of your packet. He has or somebody had put in a plot of what it's supposedly looks like. And please note that the lines that they put in there are at 150 feet and that is not what is being requested here. It's only 100 feet in there and between the Hops and the ponding area, he did erect a very nice outdoor patio right there. But that outdoor patio actually is half in that residential and half in the commercial and I find it hard to believe that the Village would have approved that being that it's going across the two lines. So, our concerns are really about strict enforcement of that extra hundred feet and enforcement of that landscape buffer that would be between our residential line and his where the overlap between residential and commercial. So those are the two biggest things that are there on that.

You know, there's got to be just, there's just got to be a physical barrier erected because what we've seen is just night after night when he has a larger night people are parking well beyond that.

And there hasn't been any effort to mark the property out where that actual 100 feet would be, and he's already admitted he hasn't abided by the agreement back even when he got the conditional use not park beyond the 300 and talking with Tiffany, she has told me that they had, you know, the Village has already noticed them about not parking beyond that, even with the Planning and Zoning recommendation. It said, don't do it yet, and yet he's still doing it, so we have a concern about how genuine he can actually be in following through on this. We know we want him to have a great successful business but not at the expense of our own serenity in our own home because not only does it impact the serenity of our home, but it would impact the value of our home and we feel that that would be a taking on the part of the Village.

Mayor Lopez: Does anyone had questions for Ms. Homan?

Trustee Pacheco: So from what I'm hearing from you, that you really want to support the extension of this 100 feet with kind of conditions in terms of continuing to have your privacy on your property and obviously not extending past 100 feet that's requested by Mr. Shull is that right?

Mary Homan: That is correct, ultimately what we would really like since he doesn't own the property. He's only got a conditional use of the property as it is under the current brewery. You know, we're reluctant because as Tiffany stated in her opening report, this will become permanent with the property. You know, ultimately what we would really like with it to be extended for that 100 feet conditional upon his continued business that would be what we would really want, because we don't know what may come in their next, and what kind of, you know, obtrusive you know, loud. I mean, who knows what kind of business could go in there. And you know the Village has worked very, very hard over the last 20 years to keep that back portion residential and have more of a live work type of situation for the residents and the businesses up front of them, such as what we have in many of the others along that pathway have. And so, it is concerning to support this, because as a business owner ourselves we want to support economic development in the Village, but at the same time, we have to protect ourselves and I hope you will consider that

Trustee Pacheco: Understood. Thank you.

Trustee Riccobene: Mary as I look at page 92, I see the Hops facility and then that's your home that is to the north of that, correct?

Mary Homan: NE to that, the one, it's kind of at the angle.

Trustee Riccobene: Right. And then in in front of the home to the west. There are two structures there, and what are those two structures?

Mary Homan: That is upon the commercial piece that's on that little L piece you're talking about. There's a hay shed there and one of our parked RV's right there.

Trustee Riccobene: Okay. All right. And then, and then north of your property, can you explain what's going on there. North those other two properties.

Mary Homan: OK, so the one that's on the east side right there against the Chamisal that is an individual home right there and matter of fact we own it and we've got it up for sale right now and just west of that is all of the giant well now it's a Speedway property. So, they've got just west of the house that first building. I think it's actually an automotive shed, oh, it's a warehouse my husband just told me, and then the larger building east of that or west of that is actually their Speedway or the former Giant industries Training Center.

Trustee Riccobene: Okay.

Mary Homan: And those, those two are conditional use as well.

Trustee Riccobene: Okay, thank you.

Mayor Lopez: Any further questions from anyone for Ms. Homan? If none, is there anyone else participating, who is opposed that would like to speak. If so, please raise your hand. I'll give everyone on the call a moment.

Mayor Lopez: Are there any other questions or comments from the Board of Trustees and does the board want to ask Ms. Justice, any further questions at this time?

Trustee Riccobene: Tiffany, who, who is the registered owner of the property that is north where the Speedway buildings are?

Ms. Justice: If you can give me one moment I'll look into.

Trustee Riccobene: That conditional, it's apparently a conditional use.

Mayor Lopez: You need some time Tiffany to answer that question.

Ms. Justice: Yes, I will need a moment, but I'm here for any other questions.

Mayor Lopez: Oh, go ahead.

Trustee Riccobene: And then, so I'll hold until I get that particular piece of information from Ms. Justice.

Ms. Justice: So, the property owner is Giant Four Corners, Inc.

Trustee Riccobene: Thank you very much.

Mayor Lopez: Okay. Any other questions for Ms. Justice at this time?

Trustee Lewis: Yes, I have some. You know, as I understand this, a lot of the concern is with the zone change, what could happen back there should Hop's go out of business, or that they can go forward and do whatever they like back there. So, I'm wondering, Tiffany is there a way to not do a zone change but to do some type of variance? I mean, and I guess where I'm trying to get is that with the development of Fourth Street coming, and with existing business conditions today, you know, Hops, is exactly, in my opinion, what we're looking for on Fourth Street and I think we want to support them.

I think this additional parking could come in very handy when Fourth Street is being redeveloped in front of their property and so I'm looking for a way to give

them a variance or some kind of conditional use until Fourth Street is done and until business conditions improve and then, you know, after the development of Fourth Street, maybe that the configuration will be where they'll pick up more spaces in front of their property, etc. And so, is there a way to restrict this variance or zone, change to parking only. I mean, we don't want people parking out along Fourth Street if we denied it because, and I think, you know, it's fantastic when you have a business that needs more than the minimum parking because they're being successful. And so my question is, is there is there an opportune way, is there another way Tiffany to approach this to achieve what the Shull's are asking for, for their business and also to protect the back of the property, and just put it on a short-term basis, pending the development of Fourth Street and improvement of business conditions.

Ms. Justice: We have most of the Planning and Zoning permits that we issue and things that go before the commission and the board are usually permanent because they stay with the property, not necessarily the owner at the time. So with a variance in that case that would also be something that is usually permanent and there's also the requirement of meeting criteria of hardship and many of our hardship criterias are tied with the physical condition of the lot, the property lines, the way they're configured, a lot of it tends to be a variance due to the constraints of the land in some way. There is the option also of a special use permit, however, we allow those for uses that are not provided a for any other zone in this case it would be a stretch to apply that. For the COVID situation, at least, there, there may be a route through the mayor's emergency powers of granting temporary permits of some kind. And in general, though these though all of these applications are permanent with the property, the board has the option to put any conditions on an application. So, the board could put conditions on approval that that could make it that this variance would expire at some point or that this zone change would expire at some point. I personally haven't seen it done, but it is possible.

Trustee Riccobene: So, question is, did you mention conditional use permit?

Trustee Lewis: Special use.

Trustee Riccobene: Or special, special use so we could actually approve a special use permit?

Ms. Justice: Yes. So, the, the definitions of special use permit is that section of the ordinance lists out uses that are not provided for in other zones and then there's also a clause for any uses that are provided another zone, you can do these things as well. So, in this case, if the use itself is for parking that would be a stretch of the appliance of the special use because this is something that is allowed in other zones. It's technically allowed in the residential zone, just not in this case for commercial purposes. So, the special uses probably less practical I would say, compared to the various or the zone change.

Trustee Riccobene: There's no conditional use?

Ms. Justice: It is possible to have a conditional use on a property, and those are usually identified with the zoning. So, there's a list of conditional uses that are allowed for residential zones. This includes things like guest houses or mobile homes as temporary dwellings. There is not a conditional use clause for commercial parking.

Trustee Riccobene: Usually or period?

Ms. Justice: Period. The conditional use language in the code basically each zone has a list of conditional uses that apply to that zone, and so when you apply for a conditional use you are applying for one of those that is allowed in that zone if you're asking for something that isn't a permissive use or a conditional use in that zone or you usually are asking for a variance of some kind or a special permit.

Trustee Lewis: Parking is an accessory use.

Ms. Justice: Yes, for an accessory use for a residential property. In this case because it would be an accessory use commercially, it would be considered commercial parking is allowed in both residential and commercial zones and so the distinction at this point is the purpose of the parking.

Trustee Lewis: So again, Tiffany, my inclination is I mean, again, going by the master plan by a lot of the things written our instructions by the master plan to support and encourage business along Fourth Street and Hops is exactly in the hair salon are exactly what we're looking for. I understand and my inclination at this time would be not if we don't have to do a zone change, then not do a zone change, but to give them some kind of one relief during this COVID time, two to encourage the growth of their business, three understand that they've got more coming to them when we start doing Fourth Street and so is there a way to limit it to the end of construction because that by that time also given once we see what they pick up in parking or losing parking with four Street. And that gives them time to decide if there's any way to take out landscaping and put in more parking. I think there's a lot of variables over the next five years or something that if there's a way for us to do it in the form of not a zone change but I mean I would support his own change if that's the only option. But I think there's got to be another option, whether it's the mayor's special powers or putting some kind of restrictions in a variance that's tied to the end of the development of Fourth Street or the redevelopment of Fourth Street or something along that line, am I on the right track?

Trustee Rael: I think, Trustee Lewis, I think you're, that kind of the thought that I have. Can we approve this something that would allow them to have a parking as long as Hops is a business there and if they should

close that it would go away at that time. So, it wouldn't be a permanent zone change, would that be possible Tiffany?

Ms. Justice: Yes, again, the board can put conditions on any application and a condition for this zone change could be that it is only until only for the duration that Hops brewery is at this location. However, I will also say that so, usually with the zone change, you get more development opportunities, more options. And with that you have to do a site development plan or site development plan amendment if you're doing a redevelopment, and so even if this zone change itself is temporary, the site development plan would also still need to be approved by the commission and the board in order to use that portion commercially. So, in that case, I think it would, I think, be more burdensome for the applicant. In that case, because then they would be getting the temporary zone change but they would still need to do go through the process of the site development plan to make sure they comply with the requirements of the C1 zone. And then if they were to leave, the site development plan still applies over that. Or it's also approved temporarily and then it has to revert back to the original site development plan.

Trustee Pacheco: Tiffany, I mean if they go that route, well, I guess there's not really another route. Right, I mean, the way that you've spoken, this is kind of the only route to take with conditions to make it a temporary zoning change. So can the conditions that we list if we do go that route can they also address the site plan, the future of the site plan, development plan. I mean, can we put those kinds of conditions in this as well?

Ms. Justice: We try to keep the conditions of the zone change separate from the site development plan, just because the zone at the time of the zone change usually what the applicant has is conceptual for the site plan, so they don't have anything clear cut yet. So, we don't want to put on them, a condition that they cannot fulfill when it comes down to actually putting together the plan. We can have a condition that the if the zone change itself is temporary that any site development plan or site development plan amendments are also temporary.

Trustee Lewis: So, we could limit this to parking only at this time without coming forward with the new site development plan? I mean, I understand people's concerns for not wanting to approve you know additional 100 feet and anything could happen back there. But I also don't want to burden any small business in the Village at this time and encourage them in every way we can to keep operating as a business. So, I'm trying to get my head around, it would be a zone change with conditions or time limits tied to either the length of their business or Fourth Street development or something like that?

Ms. Justice: That is possible. I will say that, my recommendation would be that they still have some kind of site development plan amendment for the back portion that it would be now temporarily commercial because there are basically

they would be changing part of the existing site development plan. And I think it would be beneficial for everybody involved to know how much parking exactly would be back there to still ensure that there would be emergency vehicle access. The original site plan had the pond there to make sure the pond doesn't change. So, it would make sense for the applicant to still have some kind of site plan for that section.

Trustee Pacheco: Even if it's temporary?

Ms. Justice: Yes, but I guess the complication in that, is whether the applicant should be required to meet all of the requirements of the C1 zone, if they are going to be meeting all of the requirements to the C1 zone in that site development plan, then they've basically done all the work of having that as though it was permanent, but still the possibility of it being revoked at some point. So like if there is requirements for landscape buffering for a pavement of any kind, adjusting of the site development of the grading and drainage plan. That will still stay on that property, even after expiration of the zone change and the site development plan those improvements would be there, but the allowance would no longer be.

Trustee Lewis: And if we just approve the zone change, they don't have to do any site development change at this time?

Ms. Justice: No, no. So, I, with a permanent zone change they would have to do a site development plan amendment or site development plan, depending on the extent of their changes, if it is truly parking, it would be a site development plan amendment which would be publicly noticed to everybody within 300 feet. If there is adverse comment it goes before the commission for approval. Basically, they still have to meet the C1 zone requirements.

Trustee Lewis: They're having to do the same work, basically, they just don't know if it's temporary or not. Again, if they're out of business, or they leave the property they're out of business anyway, they're not having to go back and re-change it. Is that correct?

Ms. Justice: Yes, but I guess with commercial properties, I guess the purpose of the site development plan is usually so that there is consistent development between property owners. So that there is a consistent plan for that site, regardless of who owns it, or who is in which building. We allow temporary uses like conditional uses for certain businesses that are within some of the buildings, but usually the site itself can stay the same, regardless of who owns it with a site development plan, it kind of ensures consistency between ownership.

Trustee Lewis: Because we're adding parking back there, can we put restrictions on an amended zone change? If we if we approve this zone change, I guess it's an amended site plan that they would have to do.

Ms. Justice: Yes.

Trustee Lewis: And we could put our restrictions on that?

Ms. Justice: Yes, I would say if it is a time basis or something to do with the Fourth Street construction. That'd be consistent on both the zone change itself and the site development plan amendment or that the zone change has a condition that the site development plan amendment would also be temporary. But in this case, I believe that variances special use permits, zone changes, those tend to be tied to the property. And making them temporary uses, conditional uses are also tied with the property as well, making those temporary uses I guess it just kind of confuses the process a little bit.

I think this is something related to COVID, it at least, it can be temporarily approved. Similar to temporary approvals for tents in parking lots that are commercial right now. If those were to become permanent structures that would change the site plan. And so, we would need a changed site plan for that and so if it is something that is temporary, it can, at least during COVID fall under the mayor's emergency powers. Possibly a temporary use permit or something along those lines.

Trustee Lewis: Can that redevelopment of Fourth Street fall under that same as COVID? I mean, there's a lot of changes going to be coming to Fourth Street. There's a lot of changes going to be around there and impacting their business in the next four or five years. So, is that not unreasonable to tie it at this time to getting Fourth Street done and then revisiting the issue and if it needs to be permanent parking or they decide they're redoing their parking lot or they pick up parking along the street, is that, is that a doable thing?

Ms. Justice: I believe that is doable. I actually at this point, if we are talking about applying one of our current applications to this particular case though, it would be an interpretation of the language itself. I think that special use permit would be the most appropriate because those do tend to be tied to particular uses and they do sometimes have expiration dates. In this case, the requirements for a special use is that they aren't adequately controlled or allowed in other zones relative to the specific site. In this case, it could be argued that the C1 and the R2 they both allow accessory uses of parking. The fact that they're, one is used for residential, one is used for commercial creates a conflict. There are other criteria of the special use permit. One is that the use is not detrimental to the neighborhood and another is that its use is beneficial to the Village in accordance with the master plan.

Mayor Lopez: I would like to interject, Mr. Shull who's already been sworn in, would like to comment is the governing body okay with that?

Jim Shull: Thank you very much. So, when I did my original application my intent has always been to you know, to just have more parking and not to create a

future development all the way back to the ditch. And that's why, my understanding, I talked to Tiffany and it's probably my misunderstanding was that I could only apply for a commercial use to go all the way back to ditch without doing a replat creating another lot that I couldn't ask for X amount of parking. So, my original request was to ask for C1 to go all the way back to the ditch. The reason that I picked the 150-foot line that you saw in the original application was that's where Mary's front courtyard wall starts.

I didn't want the parking to be adjacent to the Homans house and so that's how I came up with the 150, then we met with Mary and Jim Sunday before the P and Z hearing and we agreed they wanted to help me. I still wanted the 150 I still thought we needed that much parking and they, you know, they kind of have a hard time with that, their commercial go back 350 feet.

And so, it's we agreed that that they could live with 100 feet, and we could live with 100 feet. So that's why I amended that request to go the hearing and cut it back to hundred. When I started the process, I asked Tiffany, I mean the city of Albuquerque used to have like a P1 zone. We could just ask for parking and that's what I wanted to get which just was just a parking zone well Village doesn't have that you either have you have full blown commercial or you have residential and there isn't a P1 zone if we had a P1 zone, you know, that would have been the easiest thing because that would tie me into only providing the P1 zone, which is all I really wanted to do in the first place, but I think, you know, I think you're I think you're concern is very warranted. You know, we do a yes, we know that we're tenants. We do have an option to buy it. We've spent improving both properties approximately \$100,000 so we're not planning on going anywhere. We do want to be there; I think the catch all is that it has to have an approved site development plan. A site development plan at, you know, if we get approved tonight and then like, that's our next step. We have Mary's support, she has a she'll be in that process. She'll make sure that we have our all landscape buffering and our solid wall and that we have a barrier to go back, I would like it to be an open fence to go back because our customers enjoy looking at the open space back there, but it can still be a barrier where cars can't pull back there. But I think anybody else that has to come back in has to get another site development plan. And so, they just can't start building apartments. The next day, or anything else they have to come back to like a site development plan, And I would much rather do that. than to have a temporary use based on the construction, because I might pick up, we're 108 feet wide, we have a large entrance there. We might pick up two parking places in front of us, depending on light poles and stuff like that. that's not going to replace the parking in 100 feet of in the back. I'm going to have to put landscaping in. I put a fence. I'm about to do some stuff. And so, I don't really want to tie it to COVID because we need that space. Hopefully when COVID goes away and we can have, you know, a successful business. So, I'm fine with a tying it to hops if we don't exercise our option to purchase and Hops goes away as a brew pub and somebody else comes in. What if you have, if you have to approve site plan that says parking only and that's what you approve, then I think that's your insurance policy that that you know this isn't going to get out of control and if we've had a P1 zone this

would have been easier on all of us have. That's all my intentions was ever was to do parking I wanted 150, I wheeled that out to the front of their courtyard wall to be a good neighbor. That's where I came up with the 150 and we cut it back 100 we negotiate with our neighbors. She's in support of it and I think that site development plan is your insurance that it will be developing something that you guys will not approve.

Mayor Lopez: Thank you, Mr. Shull. Thank you very much. Any further questions?

Trustee Riccobene: Yes, in the in the 100 feet right behind the brewery right now you noted that there was ponding there, that ponding could be moved further back. Is that correct, toward the ditch?

Ms. Justice: If they were to move the ponding that would require a new grading a drainage plan for the site, which in general tends to be more expensive than people want to do, which is usually why they tend to be tied to site development plan. The ponding can go further back on the property, however, that would involve grading more of that property.

Trustee Riccobene: Okay. All right. So, just some comments, I haven't commented yet about any of this have asked a few questions. I think that the Shull's are exactly what this Village needs back there. We've revitalized Fourth, it's obviously popular, they got creative in this time and they opened up those beautiful landscape areas as outdoor seating. I really don't want to hold them to any minimum parking requirements. So, I think we should be asking more about maximum parking considerations for employees, clients and customers. What, but before I go any further, do we have any kind of requirements for occupancy on outdoor spaces?

Ms. Justice: Are you talking in general or for COVID specifically?

Trustee Riccobene: In general, is there any, I know we have occupancy and buildings capacity. Do we have any capacity for outdoor spaces, not talking about COVID.

Ms. Justice: So, the Village code does not have anything specific to that. I think that would be something that would be more for the fire department or the International Fire Code and International Building Code. There's no building, no building code.

Trustee Riccobene: So more safety related. So, the Shull's would have to always follow required safety and commercial or fire protection safety production, things like that, as would be as would be dictated by rules then on any outdoor spaces as well as indoor spaces, right. So, I think that they're being very creative in having their business thrive during a time when, I mean it's wonderful to sit

outside in the Village. It's a great place right, so I also look at this lot is being difficult in my mind it's almost like a *tripa (unclear)*. And it's very narrow, it's got some problems with it from a commercial space requirement. It also has some problems with it with that back area ever going to any kind of residential in my mind. You know I hate to see this continue to see it being just a patch of trees kind of growing wildly back there. I would be in favor of a full zone change and allow whatever use is warranted back there to help out the business. And then, in even parking, then I would even consider parking going a little bit further back, even in the 100 feet. Because with a proper site plan and sound wall and in so on and so forth that might help out that. I'd like us to help this business and help the Village to continue to bring in people from outside the Village and have it be a destination and I really do applaud the Shull's for their creativity under difficult times. It took them a while to open that place up, and boy, when they did, they sure did a good job. So, kudos to them and those are my comments for now, thank you.

Mayor Lopez: Any further questions for Ms. Justice?
Then the floor is now closed for comments, I need a motion.

Trustee Lewis: I would make a motion to approve this zone change request.

Mayor Lopez: I need a second

Trustee Riccobene: I'll second.

Mayor Lopez: Any discussion at this time?

Trustee Rael: I'd like, to put some conditions on this that they only allow 100 feet of parking and they had some kind of permanent barrier there parking beyond 100 feet. Also, to have the landscaping that's required by the neighbors on the north. I would like to add that to the motion if it's acceptable.

Mayor Lopez: Is it acceptable?

Trustee Lewis: It's acceptable to me. I think that will be part of the site plan that I have no problem, putting those conditions.

Trustee Riccobene: I'd like to allow, that's fine as long as the, as long as if they choose to move that ponding back further. That they be allowed to do that move that back into that back section so that they can open it up to parking.

Mayor Lopez: Is that acceptable to you Trustee Lewis?

Trustee Lewis: I think that's got to be something to just subject grading and draining plan at some point.

Trustee Lewis: I don't think we can put in this, that that's allowable. I think it

would just be subject to them coming and saying here, we're going to spend the time and money to do a new grading and drainage plan. And here's our proposal and then that's, that's another issue.

Mayor Lopez: Okay. We have a motion that's been amended. We have a second. Do you agree with the amendment? Trustee Rael's amendment Trustee Riccobene?

Trustee Riccobene: Can you repeat it again.

Trustee Rael: I amend the motion to allow the 100-foot parking, provided that they provide a permanent structure of some kind that would not allow parking beyond the 100 feet and also do the landscaping to the north, that would buffer the neighbors to the north.

Trustee Riccobene: OK.

MOVED: Trustee Rael moved to approve ZMA 20-03 with conditions as listed.

SECONDED: Trustee Lewis

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

CARRIED: Motion Passed 4-0

B. DISCUSSION AND PUBLIC INPUT OF THE 2022-2026 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) FOR THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE.

(Attorney Winter swore in Administrator Simon)

Administrator Simon: Thank you, we are now discussing the presentation of the first draft of the Infrastructure Capital Improvement Plan, ICIP for the Village of Los Ranchos. This is a plan that you may recall you looked at last year. It is something that every community is asked to put together, it goes to the legislature, and the legislature looks at this plan when it considers funding for every community. So, it behooves us to make sure that our plan, our infrastructure projects are on the plan that they are, that they have been updated appropriately and that everything is on them. So last year, as you may recall from what I understand, because we didn't have an administrator, we were sort of scrambling to get our plan to the legislature and had an emergency meeting in October to approve the list. This time, we're getting out in front, we are

presenting this list to you now just to consider the projects that we floated last year. We will keep this item open until we have to bring it back to you in October for final approval. So, with that, I stand for questions.

Trustee Rael: Mayor. I have a question. This is the first draft, you said.

Administrator Simon: Yes.

Trustee Rael: You are going to change the dates on page 139 and then the person responsible or contact to your name correct, instead of Tim McDonough?

Administrator Simon: Yes, I misspoke when I said it's the first draft. This is actually last year's list. So, we have this presented to just as a as a jumping off point.

Trustee Rael: Okay, so this would become 2022 to 2026

Mayor Lopez: That's correct.

Trustee Rael: On pages 140-141, it shows zero funding to date and funding requested 2021 to 2024 on page 141, shows project start date of five of 2020 so we don't have any funding, how could we have started the project of May of 2020? Is that the engineering money that we have that we're working on, or what?

Mayor Lopez: I believe it is.

Administrator Simon: Yeah, I have to get to that. I apologize, So, we did receive a grant, as you may recall from the...

Mayor Lopez: NMDOT

Administrator Simon: Transportation and we are using that grant money to pay for the cultural survey, the Alta survey, the alignment and all of the sort of predesign work that we have to do before we get into design of the second phase of Fourth Street. So maybe that's why I don't know why we didn't have any funding listed there.

Mayor Lopez: Last year's, It's last year's and that's why.

Trustee Rael: Well that's fine. It just needs to be corrected.

Administrator Simon: Thank you. We will definitely do that.

Trustee Rael: And that's all I have.

Mayor Lopez: It's time for me to ask this question, is there anyone participating in the zoom call wishing to provide ideas, suggestions or input on the FY 2022 ICIP if so, please raise your hand.

There was no input from the public

Mayor Lopez: Are there any other comments or input from the Board of Trustees?

Trustee Lewis: A couple things, one, I just want to make sure the Village renovation is just the Village Hall, not any other properties at this point.

Administrator Simon: Right now, it is only Village Hall. Yes.

Trustee Lewis: And the other thing, I would just suggest, it seems to me that as we get started into the Village center, there will be some infrastructure something roadwork, who knows what, we will be responsible for, and I would strongly recommend we include something, as you get along with your discussions with the developer, we have some in there for Village center expenses.

Mayor Lopez: That's a good idea.

Trustee Lewis: That's my comments.

Mayor Lopez: Any other comments.

Trustee Pacheco: I just have a question, so all of these are revisable?

Mayor Lopez: Yes,

Trustee Pacheco: You know, up until the time that we have to approve them, that will be it through November?

Mayor Lopez: Actually, we'd like to have it brought before the board Ann, am I correct in September?

Administrator Simon: I believe October is what we are we are shooting for.

Mayor Lopez: Then in October.

Clerk Sedillo-Molina: This is Danielle, our deadline to submit ICIP for this next round is September 18th, so our plan is to bring it to the board September 9th, with the updated projects and if anything fell off or if we need to add any new ones to this list.

Mayor Lopez: And I think we can do that.

Trustee Pacheco: Thank you.

Mayor Lopez: Okay, great. Any further questions on the ICIP? The floor is now closed for comments Administrator Simon will take the input from this hearing evaluate and adjust priorities if needed the final ICIP projects will be presented for the board approval at the September meeting.

10. OLD BUSINESS

A. NONE

11. ANNOUNCEMENTS

A. NOTICE OF INTENT (NOI); SECTION 13-6-1; DISPOSITION OF OBSOLETE, WORN-OUT OR UNUSABLE TANGIBLE PERSONAL PROPERTY.

Clerk Sedillo-Molina provided a notice of intent for plans for the disposal of unusable equipment. A resolution will be brought before the Board of Trustees at the September meeting.

12. NEW BUSINESS

A. 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 AMELIA HINOJOS, FRONT DESK/ADMINISTRATIVE ASSISTANT

Administrator Simon presented the recommendation.

Mayor Lopez asked for a motion to approve Amelia Hinojos

MOVED: Trustee Rael moved to approve the confirmation.
SECONDED: Trustee Riccobene

ROLL CALL VOTE: Trustee Rael-Yes
Trustee Lewis-Yes
Trustee Pacheco-Yes
Trustee Riccobene-Yes
CARRIED: Motion Passed 4-0

- B. DISCUSSION ONLY; CARES ACT GRANTS TO BUSINESSES.
§4.1.2 MAYOR-POWERS AND DUTIES; (I) SUPERVISE THE DRAFTING AND EXECUTION OF MUTUAL AID AGREEMENTS, IN COOPERATION WITH REPRESENTATIVES OF THE STATE AND OTHER LOCAL POLITICAL SUBDIVISIONS OF THE STATE, AND THE DRAFTING AND EXECUTION, OF ANY AGREEMENTS WITH THE COUNTY OF BERNALILLO, AND OTHER MUNICIPALITIES WITHIN BERNALILLO COUNTY, FOR THE COUNTY-WIDE COORDINATION OF EMERGENCY MANAGEMENT EFFORTS.

Administrator Simon presented the criteria for the CARES Act:

The state of New Mexico was given significant cares act funding from the federal government and made that available to local governments.

For two reasons:

- One, to reimburse local governments for expenses they have incurred to create COVID safe environments.
- Two, if they chose or choose to provide grants to small businesses and we heard continually throughout this pandemic.

The Village applied for \$2.1 million, we will know if we receive this funding on August 21st. and excited to provide these small \$5,000 grants to businesses that have 50 or fewer employees.

Trustee Pacheco: Is there already a list of businesses that we would consider providing these funds to or is it just any business in the Village of Los Ranchos?

Administrator Simon: We did look at all of the businesses that would qualify and we have about 400 that could apply, and we wanted to keep it as open as possible and not really limit it. If they have received funding from Bernalillo County, they're not eligible if they're over 50 employees, they are not eligible. So, there's a few other things that make them ineligible. But we just wanted to give as many businesses as possible the opportunity.

Trustee Pacheco: And if there is there a possibility that we would receive less than on what the \$2.1 million? Or is that, you know, you either get it all, or you don't get it.

Mayor Lopez: Other communities are asking for similar amounts of money based upon their size, so we are right there with other communities.

Trustee Lewis: What are some of the requirements to for a small business to receive a grant?

Administrator Simon: We have an application, they have to be a registered business, they have to provide some financial information, they have to tell us if they've received any other CARES Act funding, if they have received the

paycheck Protection Program loan or the EIDL Loan, which is the economic hardship loan. We will set up a committee to evaluate the expenses that are reimbursable.

Trustee Riccobene: Some of the other grants that have been offered, if they received those grants, would not preclude them from getting this \$5,000 additional grant from the Village, is that correct?

Administrator Simon: That is correct. We are not excluding them, but we may prioritize and give some of our smaller businesses that were not able to get the PPP loans. But no, it does not preclude them. The only thing that would preclude them is if they get money from Bernalillo County.

No further questions were asked.

13. TRUSTEE INFORMAL DISCUSSION

Trustee Rael:

- Asked about the status broken irrigation lines that Eliseo Trujillo had contacted him about.
- Asked about the speed board that will be placed on Ortega, if that was discussed with the residents.

Trustee Lewis:

- Wanted to know if we are making progress on the short-term rental issue, getting close to a year and owe a response to the Village residents.

Trustee Pacheco:

- Asked about the status of the business development/economic committee.

Trustee Riccobene:

- Wanted clarification on the Zoom meeting vs. the meetings at Village Hall.

Administrator Simon and Mayor Lopez addressed and responded to each question/concern.

Mayor Lopez:

- Spoke about the article in the Las Cruces Sun News regarding aligning our Agri-future.

14. ADJOURNMENT

The meeting was adjourned by Mayor Lopez at 9:42 p.m.

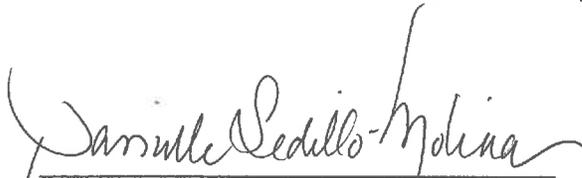
**Motion-Trustee Pacheco
Seconded-Trustee Rael**

PASSED AND APPROVED by the Board of Trustees of the Village of Los
Ranchos de Albuquerque on this 9th day of September 2020

{SEAL}



Donald T. Lopez, Mayor



Danielle Sedillo-Molina, Village Clerk