

VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
6718 RIO GRANDE BOULEVARD NW
BOARD OF TRUSTEES REGULAR MEETING - 7:00 P.M.
APRIL 9, 2003

Present:

John Hooker, Mayor
Penny Rembe, Trustee/Mayor Pro Tem
David Siegel, Trustee
Don Lopez, Trustee
Pablo Rael, Trustee

Hank Rosoff, Administrator
Allen Leatherwood, Treasurer
Annabelle Silvas, Clerk
Cyndie Tidwell, Planner
David Mathews, Attorney

1. CALL TO ORDER

The Village of Los Ranchos Governing Body held a Regular Meeting on Wednesday, April 9, 2003 in the Warren J. Gray Hall. The meeting was called to order at 7:00 p.m.

A. Approval of Agenda

MOTION: Trustee Lopez moved to approve the agenda with the proviso that if Trustee Siegel is not present that Old Business be deferred. Trustee Rael seconded the motion.

VOTE: motion carried unanimously.

B. Subhas Shah - Middle Rio Grande Conservancy District

Subhas Shah of Middle Rio Grande Conservancy District presented an update on the status of irrigation water and the outlook for this year. He said that the Conservancy was unable to store water in the upstream reservoirs due to the demands of the Rio Grande Water Compacts and that there is currently not enough water in storage to meet the flows required for the entire season. The quantity of water flowing in the Rio Grande is approximately 1/3 of last year's flow. The most optimistic outlook at this time is that the water could last into August. Trustee Lopez stressed the need to repair the low flow channel to Elephant Butte reservoir and stated that the Federal Government has ignored the problem since 1984. The low flow channel saves water in times of low flow by being a more efficient conveyance and its state of disrepair is wasting a precious resource. Trustee Siegel raised questions about the lack of communication between MRGCD and the irrigators regarding the scheduled availability of irrigation. Mr. Shah said that the Ditch Rider should be doing a better job of communicating that schedule with the users and he would look into it.

2. PUBLIC COMMENT PERIOD

Tito Madrid, Community Outreach Director from Congresswoman Heather Wilson's office invited the Village to the Support the Troops rally on April 17th and an open house in

Congresswoman Wilson's new office at First Plaza, Suite 603, on April 24th. He also noted the concerns about the low flow channel and said he would bring them to Congresswoman Wilson's attention. He thanked the Mayor for his personal assistance in another matter supporting the Congresswoman.

Hector Gonzales, MRGCD Board of Directors, made brief comments about MRGCD and its relationship with the Village.

3. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting - March 26, 2003

B. Receive Department and Committee Reports

1. Police
2. Fire
3. Animal Control
4. Court

MOTION: Trustee Rembe to approve the consent agenda. **Trustee Lopez** seconded the motion.

VOTE: Motion carried unanimously.

Trustee Siegel noted that the Sheriff's Department has still not provided any of the additional data, which they have promised on numerous occasions.

4. PUBLIC HEARINGS AND APPLICATIONS

None

5. OLD BUSINESS

A. Discussion and Comment on Draft Zoning Ordinance (dated January 19, 2001)

A. Section 12 - NC - Neighborhood Commercial Zone

The Board discussed the section and determined that, as written, it did not meet the intent of the Citizen's Advisory Committee.

MOTION: **Trustee Siegel** moved to delete the current text and reserve the section for future use, and to direct staff to look at potential revisions to meet the intent of the 2010 Master Plan. **Trustee Lopez** seconded the motion.

VOTE: The motion carried unanimously 4-0.

B. Section 13 - N - Neighborhood Zone

The Board discussed this section and determined that, as written, it did not meet the intent of the Citizen's Advisory Committee.

MOTION: Trustee Rael moved to delete the current text and reserve the section for future use, and to direct staff to look at potential revisions to meet the intent of the 2010 Master Plan. **Trustee Lopez** seconded the motion.

VOTE: The motion carried ~~unanimously~~ 3-1 with Trustee Siegel voting no.

6. NEW BUSINESS

A. Discussion and Approval of Intergovernmental Agreement between the City of Albuquerque and the Village of Los Ranchos - Insurance Benefits

Administrator Rosoff stated that this is a renewal of our contract with the City of Albuquerque to administer our insurance plan. He said the fee has gone up from \$1,660.00; to he believes it was to \$1,836.80.

MOTION: Trustee Lopez moved to approve the agreement. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously.

B. Discussion and Approval of Resolution No. 2003-4-1 - Adding a Historic Context to the Name of 4th Street

Mayor Hooker stated that it is not mandatory renaming the street, it's more just adding, officially recognizing the history of it.

Trustee Lopez asked if we go with 4th Street El Camino Real, does that make the signing a whole lot simpler for you?

Hank Rosoff said that's probably thirty-three dollars less per sign than the other option. You can still consider other options.

Trustee Lopez said the advantage to El Camino Real is that's what it was before, so that's what it should be, in my opinion.

MOTION: Trustee Rembe moved to approve and amend the Resolution, striking Line 7 and ending after El Camino Real on Line 6. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously.

7. FINANCIAL BUSINESS

A. Financial Charts through March

Administrator Rosoff stated that the financial software has crashed and are getting an update, because the MIP system no longer supports the version of the software we have and he can not print out the cash report at the moment. He said the GRT have been received through March, and are virtually right where we budgeted for this year and the next months coming up. He said if you look on the charts, that show last year's budget, and the next months coming up are two of the three worst months we had last year. He expects to be right on target for our GRT this year. As far as the expenditures go, that's on target with what we have budgeted to this point in the year. He said he would provide a cash report as soon as we can get the software loaded. He just wanted to give an assurance that GRT is moving along, we've made up the low months that were earlier in the year and we're in good shape. On the three year-to-date charts you'll see that the lines practically coincide, except on the infrastructure GRT, which really has a very large scale on it and we're only a couple thousand dollars lower on it than we should be and it's not impacting anything.

B. Park Planning Recommendations from Village Engineer (ASCG)

Karen Jacobsen reported that the plan submitted should be included in the Village Master Plan. They have not come up with a reasonable or unreasonable number as far as cost.

ASCG discussed getting the staff and the residents behind the project. Any background data that the staff has would be a beginning for them, and wouldn't have to do it, some of the demographic data, etc. would help lower the cost.

Administrator Rosoff stated that the MRGCD position is that they didn't want to publish maps of the ditch trails, because it might increase their liability since they don't maintain those trails for walking. They have allowed the County to improve some of those trails and put them on maps.

David Mathews stated that he thought there was a problem with mapping the ditches. The Village doesn't own them, in his experience with Corrales, they entered an agreement with the conservancy district to annex the Bosque, and we provided law enforcement in the Bosque, protection down there and fire protection. Therefore, it's a different situation. We certainly didn't annex it and apply our ordinances to it without their permission.

Mayor Hooker asked the Board for direction of whether to first fund some consulting services. To produce a plan, and to empower a citizens committee to act on developing this plan with the consultants over the next eight to twelve months. What we expect that plan to do for us, whether it is to be added to the Master Plan or to be used as an implementation strategy.

Trustee Lopez stated that he thought it was a great idea to do that and to ask ASCG to give us a proposal.

The consensus among the Board was that ASCG should provide a proposal.

8. REPORTS

A. Mayor's Report

Mayor Hooker reported on the closed legislative session. He said he has been trying to communicate with the Governor and staff on issues of concern and they are the key bills, Senate Bill 241, 887, and others. He did learn that the Governor signed another bill related to building

codes and CID. He said the County has made an offer in regards to the City Water and Sewer System. They recognize that they inadvertently left the Village status out of that bill. The status of the zoning and extra-territorial zoning bill is not yet finalized.

B. Administrator's Report

Hank Rosoff reported that a productive meeting was held with the Horizon School people to talk about their traffic impact analysis and what assumptions we would accept and what assumptions we wouldn't accept. What they needed to include in that, and we would expect that they would have something back to us to begin the review process in two to three weeks. He said David Herrera has been out trimming roadsides. He further stated that the lawn won't be mowed in the park until after the Easter egg hunt, and will try planting new grass after Springfest. At a previous meeting, he mentioned that the ICIP had to be done along with the budget, and the deadline has been moved from June 30 to July 31. He also mentioned at the last meeting that the RFP for 4th Street was being advertised the day after the meeting. A little over a dozen firms picked it up, and we had a pre-submittal meeting, which was mandatory for anyone that wanted to, bid on that project and ten firms attended that. The submittal date for that is April 30th. He further reported that the FONSI was received today.

C. Legal Report

Attorney Mathews that he received the answers in the Aragon case and the request for the record proper. Annabelle will help me by transcribing the portion of the meeting in which Mr. Aragon spoke about the radio station to the Board of Trustees and has received the transcription from the Planning & Zoning meeting. He said there are some interrogatories to answer and he is giving the ones he can't answer to Cyndie and Jessica, because both of them involve lawsuits revolving around Home Occupation Licenses from 1998 to 2000. They are asking for a five-year period. He further reported that they are still busy with animal control, and still have the problem with dogs loose in the Village, attacking other dogs. The Animal Welfare Ordinance will be before you at the next meeting, it's on the website, and the final draft is available. For some reason, he can't remember why the leash law was taken out. He feels we ought to amend the ordinance and get it back in there. He said a resident brought veterinary bills to him, but the Village does not have the ability to collect vet bills in Municipal Court, but Judge Marble does have a technique that she uses of deferring the sentence if you'll compensate this gentleman for his vet expenses. He is trying to engage in some discussions with Metropolitan Court on fee sharing on some traffic cases for the Village. He said Gemini fire works (Mr. Ruiz) has installed his fire alarm system and has asked the Fire Department to go out and inspect it. Mr. Ruiz did not get a permit from the Village; he didn't submit a plan. He is not going to be upset about that if he puts in a good fire alarm system, but he does not have anything back from the Fire Department. He said he has sent many comments to Hank about the personnel ordinance. He thinks that J&J Mobile Home park is sold or close to being sold to the Garcia family, they are going to clear it to the ground and put in another mobile home park there unless someone else buys it from them. Heartlane/ Sanchez vs. Cronk case, the Board members will need to be deposed on this. He said he has tried to get this case into mediation and everyone refused and now the judge insisted that it be mediated.

D. Planner's Report

Planner Tidwell reported that Mike Contreras has submitted his application for a Zone Map Amendment to Village Center for nearly 9 acres at the southeast corner of 4th and Osuna, and the P&Z Commission will be hearing the Zone Map Amendment on April 22nd. She said the site plan is not quite ready, it has been published, Mike has asked for a deferral on the site development plan for the purpose of reworking the plan and reducing the number of variances that were originally requested. She said the El Camino Café has new owners. Taft Middle School addition will begin this summer. That's a 1.3 million-dollar addition on the West End. The Main Street Steering Committee has met, and they are moving toward incorporation. She said she went to the Bernalillo County Albuquerque Extra-territorial Zoning Commission meeting last week on an application that the Villager received no notification of regarding a 4th Street so-called landscaping business on the east side of 4th Street just north of Wayne Road.

E. Fire Dept. Report

None.

F. Engineer Report

None

9. TRUSTEES INFORMAL DISCUSSION

None

10. ADJOURNMENT

MOTION: Trustee Rembe moved to adjourn at 9:40 p.m. Trustee Lopez seconded the motion.

VOTE: The motion carried unanimously.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque this

_____ day of _____ 2003.

ATTEST:

Annabelle Silvas, CMC
Village Clerk