

**MINUTES**  
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE  
6718 RIO GRANDE BOULEVARD NW  
**BOARD OF TRUSTEES REGULAR MEETING – 7:00 P.M.**  
**October 8, 2003**

**Present:**

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

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

**Absent:**

Pablo Rael, Trustee

**1. CALL TO ORDER**

The Village of Los Ranchos Governing Body held a Regular Meeting on Wednesday, Oct. 8, 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. Trustee Rembe seconded the motion.

**VOTE:** The motion carried unanimously.

**B. Presentation By Waste Management of New Mexico (Marlene Feuer)**

**Marlene Feuer** spoke about the Waste Management contract expiring 3/31/2004. She told about reviewing the contract and rates and the two considerations they had come up with;

- 1.) That they are making a reasonable profit in the garbage collection rate and we are at a competitive rate in the Village and;
- 2.) We found that we were not making any money on the recycling what so ever.

We decided during the analysis that we could become more efficient and provide a better service and a more convenient service to the Village if we offered an automated collection of recyclables in the Village. We are suggesting that we can keep the current service levels at the current price on the solid waste collection. For us to make a minimum profit in the recycling we need to raise the rate from \$2.01 to \$2.40 a month. What we are also offering is to automate the collection by providing all the residents with a cart to contain their recyclable materials, and that rate I believe was \$2.95 per month for the service.

**Trustee Lopez** asked if recycling would still be twice monthly.

**Marlene Feuer** said yes. There was no opt out from recycling. The containers will be provided at \$2.95 a month (cost to resident) for a 96 gallon container.

**Trustee Lopez** recommended the negotiations to begin for an 8-year contract renewal.

**Trustee Siegel** agreed with Trustee Lopez's recommendation and requested that the next newsletter have an article devoted to this issue to see what people wanted to see in recycling.

**2. PUBLIC COMMENT PERIOD**

None.

**3. CONSENT AGENDA**

**A. Approval of Minutes - Regular Meeting – September 10, 2003**

**Trustee Siegel** said page 3, line 39, should say “no left turns be allowed from the northern road of the center on 4<sup>th</sup> Street.”

**Mayor Hooker** said Page 3, line 44, Marianne Woodard was misspelled.

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

**VOTE:** The motion carried unanimously.

**4. PUBLIC HEARINGS AND APPLICATIONS**

**A. The Mayor and Board of Trustees have appealed the approval of the following request given by the Planning and Zoning Commission at their Regular Meeting held on August, 26, 2003: A request by Robert M. Calvani for a Height Variance to build a solid wall of 6 feet adjacent to Chavez Road and in the A-1 Zone. The property located at 1017 El Alhambra Circle NW and legally known as Lot numbered Four (4) of EL CABALLERO NORTE SUBDIVISION, a Subdivision within the Village of Los Ranchos de Albuquerque, as the same is shown and designated on the Plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 31, 1978, in Plat Book D8, page 172. This parcel contains approximately 1 acre.**

**Mayor Hooker** explained that Bob Calvani called and asked this item be postponed as he is out of town on work.

**MOTION:** Trustee Lopez moved to postpone until the November 12, 2003 meeting. Trustee Rembe seconded the motion.

**VOTE:** The motion carried unanimously.

**B. The Mayor and Board of Trustees have appealed the approval of the following request given by the Planning and Zoning Commission at their Regular Meeting held on August, 26, 2003: A request by Basel Mheirat, of I.C. Mart for a Variance to the maximum allowed signage allowed per business in the C-1 Zone. The property is located at 7900 4<sup>th</sup> St. NW and legally known as Tract 23A, M.R.G.C.D. Map Number 27. This parcel contains approximately .32 of an acre.**

**Attorney Mathews** spoke about the State Statute and this being the first time that an appeal by the administration by a decision of the governing body. He swore in the people wishing to speak on the I. C. Mart matter.

**Planner Tidwell** explained the sign variance application and the steps that were taken to get to this point.

**Basel Mheirat** explained that he met with Hank and Cyndie, and when he went before the P&Z Commission he had all the proper documents and pictures. He spoke about the P&Z approvals and the letters he received from Cyndie concerning the matter.

**Trustee Lopez** said the P&Z approved this twice and Commissioner Homan made a motion to approve the variance for the total area of the business signs to allow for a total of some 225 square feet where a total of 40 feet is allowed, citing criteria for decision from Chapter 31, Section 15-D, Portion 3-B. He asked Ms. Tidwell if this chapter, section and portion reference was not correct.

**Director Tidwell** said it was correct. The issue is not that it wasn't the correct basis for determining a variance; the issue at hand is that his business already has 180 square feet of signage on it.

**MOTION:** Trustee Siegel moved to deny the request for a variance to the maximum allowed signage. Trustee Rembe seconded the motion.

**VOTE:** The motion carried 2 – 1, with Trustee Lopez voting no.

**C. A request by Theresa Cardenas of TC Building & Development for Judy Caldwell (property owner) for a Zone Map Amendment to SU-1 Zoning to allow for a major subdivision with special density bonus and Preliminary Plat for a Major Subdivision for recommendation for the Board of Trustees consideration. The property is currently zoned A-1. The property is located at 7100 Rio Grande Boulevard NW and legally known as A tract of land in School District No. 4, Bernalillo County, New Mexico, within the Elena Gallegos Grant, which is bounded; On the North by land now or formerly of J.A. McDonough; On the South by land of R.L. Harrison; On the East by the Easterly line of the Chamisal Acequia; and On the West by the Easterly line of Rio Grande Boulevard; and which is described by Survey made by R.S. Harris in January, 1948, as follows... Said tract is shown and designated as Tract 139-B-1 on Map 27 of the Survey of the Middle Rio Grande Conservancy District. This parcel contains approximately 13 acres. These applications have been forwarded with a recommendation to deny, without citing the code, by the Planning and Zoning Commission at their Regular Meeting held on June 24, 2003. THIS REQUEST WAS DEFERRED FROM THE AUGUST 20 REGULAR BOARD MEETING. THE APPLICANT HAS REQUESTED DEFERRAL FOR ANOTHER SIXTY DAYS.**

**MOTION:** Trustee Lopez moved approval to defer to December 10, 2003. Trustee Rembe seconded the motion.

**VOTE:** The motion carried unanimously.

**5. OLD BUSINESS**

None.

**6. NEW BUSINESS**

None.

**7. FINANCIAL BUSINESS**

**None.**

**8. REPORTS**

**A. Mayor's Report**

**Trustee Lopez** reported on the Water Resources Board and that he was given a draft of the Middle Rio Grande Regional Water Plan, and suggested that copies be given to the Board and the Administration, and that it be announced in the newsletter as being available for review. He said this Board should approve the final plan for the December meeting that was kind of the schedule that they are on.

There was a lengthy discussion on evaporation, water availability and controlling development. It was decided that the Board should review the report and give comments to Trustee Lopez by the 20<sup>th</sup>.

**Mayor Hooker** said he had nothing else to report.

**B. Administrator's Report**

**Administrator Rosoff** reported on the parking lot at the park being resealed and repainted. Larkin has been given some comments on the conceptual design report and they are working on incorporating those comments and continuing the design.

**Trustee Lopez** suggested that full depth asphalt pavements be used and explained the benefits and advantages.

There was a lengthy discussion about the road project and commercial development of 4<sup>th</sup> and Osuna and the traffic issues.

**Administrator Rosoff** spoke about the information supplied by Dr. Siegel on cellular phones and provided some additional information for the Board. He reported that the auditor called and said they were again unable to attend the Board meeting. The Board requested that the auditor attend the November 12<sup>th</sup> meeting.

There was a lengthy discussion about the Sheriff's Department not being able to attend the Board meeting as requested and the contract with the Sheriff's Department.

**C. Legal Report**

**Attorney Mathews** reported that the 2003 legislature passed and new act which allows an additional ¼ cent GRT for EMS services that the Village could look into. He will be attending the NMML clerk's school and will be a speaker for part of it. He said he received the transcript back from the annexation hearing and he sent it directly to the County Attorney. The Kantor lawsuit record proper was finished by Jessica last week and it is due a week from Monday. More appeals of Planning and Zoning Commission decisions will be appealed before the Board. He talked about some of the follow-up on zoning enforcement work he's done. He attended the Trail Committee Meeting. He spoke of a liquor store in the Village that is violating state liquor laws and the state would like a letter from the Village alerting them to this problem. There is no change in the Sanchez case. He pointed out that the Kantor item was noticed properly and does not think that there is a notice issue.

There was a rather lengthy discussion on drainage ditches, clean-up and mosquitoes.

**D. Planner's Report**

**Director Tidwell** said that the architectural design of Bank of America will be on the Board Agenda for October 22<sup>nd</sup>. Horizon Academy and may be open by Nov. 1<sup>st</sup> and has asked for enrollment figures. She also spoke about the P&Z Commission doing a good job, that their agendas have grown, made training notebooks and considering a possible work study session before each meeting. She spoke about interviews being done for the part-time P&Z Assistant.

**Trustee Siegel** said perhaps some of the items being heard by the P&Z Commission could be done administratively, i.e. wall issues and setbacks to free up the P&Z Commission Agendas.

**E. Fire Dept. Report**

**Administrator Rosoff** announced that the lieutenant positions had been filled and announced names. (Angel Alvarado, Juan Cordova and Brian Fox)

**F. Engineer's Report**

**Printed version given out.**

**9. TRUSTEES INFORMAL DISCUSSION**

**Mayor Hooker** said the National League of Cities National Conference is in Nashville this year in December and asked if any Board members would like to attend it.

**Trustee Lopez** said he'd like to attend if the timing is right.

**Administrator Rosoff** said that approximately \$4,000.00 has been collected this year on the alarms ordinance and violations that were not being collected in the past.

**10. ADJOURNMENT**

**MOTION: Trustee Lopez moved** to adjourn at **8:50** p.m. **Trustee Rembe** 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:

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Annabelle Silvas, CMC  
Village Clerk