



**VILLAGE OF LOS LUNAS
REGULAR COUNCIL MEETING AGENDA
THURSDAY, DECEMBER 5, 2024 – 6:00 P.M.
COUNCIL CHAMBERS – 660 MAIN STREET
LOS LUNAS, NM 87031**

ATTENTION:

Village Council meetings are also streamed live via **Microsoft TEAMS**. You may connect with codes that are available on our website (www.loslunasnm.gov) and/or <https://www.loslunasnm.gov/meeting>.

PLEASE TURN OFF OR MUTE ALL ELECTRONIC DEVICES DURING THE MEETING. YOUR COOPERATION IS APPRECIATED.

The Village of Los Lunas Council is pleased to have residents of the community take time to attend Village Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Input and Public Hearing proceedings are encouraged to be prepared and will be **limited to three (3) minutes** in order to allow everyone the opportunity to be heard. **PUBLIC COMMENTS ARE EXPECTED TO BE CONSTRUCTIVE AND DEVOID OF CHARACTER ASSASSINATION.** Questions raised on non-agenda items may be answered at a later date in order to facilitate proper research. Written comments are welcome and should be given to the Village Administrator prior to the start of the meeting. Written materials will not be accepted during regular agenda items in the interest of time.

- ♦ **CALL MEETING TO ORDER.**
- ♦ **PLEDGE OF ALLEGIANCE.**
- ♦ **APPROVAL OF AGENDA.**
- ♦ **PUBLIC INPUT FORUM.**

**JILL SWEENEY
SHERMAN & HOWARD
TAB**

1. RESOLUTION 24-27: INDUCEMENT AND NOTICE RESOLUTION FOR 2024 GREATER KUDU LLC INDUSTRIAL REVENUE BOND APPLICATION.

1.

ACTION REQUESTED OF COUNCIL:

Approve or disapprove.

BACKGROUND AND RATIONALE:

Sherman & Howard, LLC, acting as bond counsel for the Village of Los Lunas, will be presenting an Inducement and Notice Resolution for an Industrial Revenue Bond (IRB) Application submitted by Greater Kudu LLC, pertaining to a request to expand by way of construction and equipping of an expansion project. The Village Council will consider an Inducement and Notice Resolution for adoption, including authorization to publish notice of intent to adopt the IRB Ordinance.

2. EXECUTIVE SESSION – pursuant to NMSA 1978 Section §10-15-1(H), the following matters may be discussed in closed session:

TAB

2.

- a)** Hire IT Assistant – Information Technology Department.
- b)** Hire PT Recreation Aide – Recreation División / Parks & Recreation Department.

3. APPROVAL OF MINUTES.

TAB

3.

- a)** Minutes from November 7, 2024, Council Meeting.

4. ADJOURNMENT.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Deputy Clerk five (5) days prior to council meeting at 839-3840.



INTERNAL AGENDA REQUEST FORM

DATE OF COUNCIL MEETING _Thursday, December 5, 2024__

(AGENDA REQUESTS ARE DUE TUESDAY @ NOON ONE WEEK PRIOR TO COUNCIL MEETING)

AGENDA TITLE:

Resolution 24-27: Inducement and Notice Resolution for 2024 Greater Kudu LLC Industrial Revenue Bond Application

ACTION REQUESTED OF COUNCIL:

Approve or disapprove

BACKGROUND AND RATIONALE:

Sherman & Howard, LLC, acting as bond counsel for the Village of Los Lunas, will be presenting an Inducement and Notice Resolution for an Industrial Revenue Bond (IRB) Application submitted by Greater Kudu LLC, pertaining to a request to expand by way of construction and equipping of an expansion project. The Village Council will consider an Inducement and Notice Resolution for adoption, including authorization to publish notice of intent to adopt the IRB Ordinance.

PRESENTER(S):

____Jill Sweeney, Member, Sherman & Howard LLC_____

VILLAGE OF LOS LUNAS, NEW MEXICO

RESOLUTION No. 24-27

DECLARING THE INTENT OF THE VILLAGE OF LOS LUNAS, NEW MEXICO TO ISSUE TAXABLE INDUSTRIAL REVENUE BONDS IN UP TO SIX (6) SERIES IN THE PRINCIPAL AMOUNT NOT TO EXCEED SEVEN BILLION, FIVE HUNDRED MILLION DOLLARS (\$7,500,000,000) EACH IN CONNECTION WITH A PROPOSED PROJECT TO BE LOCATED WITHIN THE VILLAGE OF LOS LUNAS, NEW MEXICO, FOR THE PURPOSE OF INDUCING GREATER KUDU LLC TO EXPAND ITS EXISTING DATA CENTER CAMPUS TO INCLUDE NEXT-GENERATION DATA CENTER FACILITIES AND RELATED AND SIMILAR FACILITIES LOCATED WITHIN THE VILLAGE LIMITS AND IN THE MANNER SET FORTH IN THE IRB APPLICATION AND PROJECT PLAN.

WHEREAS, the Village of Los Lunas, New Mexico (the “*Village*”) is a legally and regularly created, established, organized and existing municipality under the general laws of the State of New Mexico; and

WHEREAS, the Village is authorized by the Industrial Revenue Bond Act, NMSA 1978, Sections 3-32-1 through -16 (1965, as amended through 2024) (the “*Act*”), to acquire industrial revenue projects to be located within the Village limits; and the Village desires to promote industry and develop trade or other economic activity to secure and maintain a balanced and stable economy in the Village and to promote the public health, welfare, safety, convenience and prosperity; and

WHEREAS, Greater Kudu LLC, a Delaware limited liability company (the “*Company*”) intends to expand its existing data center campus at 4250 Messenger Loop NW in the Village (the “*2025 Project Site*”) by constructing, acquiring, equipping, installing and maintaining next-generation data center facilities to support current products and enable future generations of AI hardware and related and similar facilities located at the 2025 Project Site (the “*Project*” or the “*2025 Project*”); and

WHEREAS, on October 8, 2024, Village staff has met with Company representatives to discuss the pre-application materials submitted by the Company to the Village in satisfaction of the requirements described in Section 4.1 of the Village’s Industrial Revenue Bond Policy, adopted by Village Resolution 19-21; and

WHEREAS, on October 31, 2024, the Company presented to the Village a formal IRB Application and Project Plan (the “*2025 Project Plan*”) prepared and submitted by the Company

1 to the Village in compliance with Section 4.3.1 of the Village's Industrial Revenue Bond Policy,
2 adopted by Village Resolution 19-21; and

3 **WHEREAS**, the 2025 Project Plan describes the Company's proposed 2025 Project,
4 which would constitute a project as defined in the Act; and

5 **WHEREAS**, the 2025 Project Plan proposes the issuance by the Village of its Taxable
6 Industrial Revenue Bonds (Greater Kudu LLC 2025 Expansion Project) Series 2025 (the
7 "**Bonds**" or the "**Series 2025 Bonds**") under the Act in up to six (6) series in the principal
8 amount not to exceed Seven Billion, Five Hundred Million Dollars (\$7,500,000,000) each to
9 finance all or part of the costs of the 2025 Project and certain costs incurred in connection with
10 the authorization, issuance and sale of the Series 2025 Bonds; and

11 **WHEREAS**, the issuance of the Series 2025 Bonds by the Village to finance the 2025
12 Project would constitute one of the inducements whereby the Company would determine
13 whether or not to proceed with the 2025 Project; and

14 **WHEREAS**, concurrently with the issuance of the 2025 Bonds, the Company will enter
15 into a lease agreement with the Village providing for the payment of lease rentals or payments on
16 the property sufficient to pay the debt service on the Series 2025 Bonds; and

17 **WHEREAS**, the Village desires to indicate its intent, subject to the conditions provided
18 in Section 7 below, to proceed with the issuance of the Series 2025 Bonds for the financing of
19 the 2025 Project pursuant to the terms of an ordinance (the "**Bond Ordinance**") to be adopted by
20 the Village Council of the Village of Los Lunas (the "**Village Council**") at a later date prior to
21 the issuance of the Series 2025 Bonds; and

22 **WHEREAS**, the Village and the Company understand that the adoption of this
23 Resolution shall not obligate the Village to issue the Series 2025 Bonds except in full
24 compliance with the terms of the Bond Ordinance to be adopted by the Village Council prior to
25 the issuance of the Series 2025 Bonds and related bond documents in forms satisfactory to the
26 Village.

27 **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE**
28 **VILLAGE OF LOS LUNAS:**

29 **SECTION 1. Ratification.** All actions (not inconsistent with the provisions hereof)
30 heretofore taken by the Village Council and the officers of the Village, related to the purposes of
31 this Resolution be and the same hereby are ratified, approved and confirmed.

1 **SECTION 2. Project.** The Village Council has been informed that:

2 **(a)** The Project, if constructed, will consist of the constructing, acquiring,
3 equipping, installing and maintaining of an expanded data center campus that includes next-
4 generation data center facilities to support current products and enable future generations of AI
5 hardware and related and similar facilities.

6 **(b)** The Bonds may be issued by the Village in up to six (6) series in the
7 principal amount not to exceed Seven Billion, Five Hundred Million Dollars (\$7,500,000,000)
8 each.

9 **(c)** The developer of the Project will be the Company.

10 **(d)** The location of the Project is the 2025 Project Site.

11 **SECTION 3. Interest on the Bonds not Tax-Exempt.** The Village understands that
12 the Company does not intend that interest on the Bonds be excludable from gross income of the
13 holders of the Bonds under the Internal Revenue Code of 1986, as amended. Pursuant to the Act,
14 interest on the Bonds is exempt from State taxation.

15 **SECTION 4. Intent to Issue Bonds.** In order to promote the local health and general
16 welfare, safety, convenience and prosperity of the inhabitants of the Village, it is the intent of the
17 Village Council to take all necessary and advisable steps to effect the issuance of the Bonds, in
18 up to six (6) series in the principal amount not to exceed Seven Billion, Five hundred Million
19 Dollars (\$7,500,000,000) each, in order to defray part or all of the costs of the Project, provided
20 that the issuance of the Bonds is subject to the conditions described in Section 7 hereof.

21 **SECTION 5. Limited Obligations.** The Bonds shall be special limited obligations of
22 the Village payable solely from the revenues derived from the leasing of the Project and shall not
23 constitute a debt or indebtedness of the Village within the meaning of any provision or limitation
24 of the Constitution or statutes of the State and shall not constitute or give rise to a pecuniary
25 liability of the Village or a charge against its general credit or taxing powers. Nothing contained
26 in this Resolution or in any other instrument shall be construed as obligating the Village to any
27 pecuniary liability or a charge upon the general credit of the Village or against its taxing powers,
28 it being understood that no costs are to be borne by the Village and that all costs incurred by the
29 Village in connection with the Bonds are to be promptly reimbursed by the Company.

30 **SECTION 6. State Tax Matters.** The Company will, consistent with Taxation and
31 Revenue Department Regulation 3.2.212.22 NMAC (the “*Regulation*”), acquire the Project. The

1 Company will, consistent with New Mexico law and as agent for the Village, apply to the
2 Taxation and Revenue Department for Type 9 Nontaxable Transaction certificates (the
3 “**Certificates**”). The Company will deliver a Certificate to each person selling tangible personal
4 property to the Company for the Project as applicable under the New Mexico Gross Receipts and
5 Compensating Tax Act and the Regulation. For this purpose, by adoption of this Resolution, the
6 Village authorizes the Company to act as agent for the Village with respect to the acquisition of
7 the Project. The Company shall not use the Certificates other than for the purchase of capital
8 equipment and other tangible personal property, nor shall the Company use such Certificates
9 after the completion of the Project. This Resolution is intended to be an “inducement resolution”
10 as that term is used in, and for the purposes of, the Regulation.

11 **SECTION 7. Issuance of Bonds Conditioned Upon Full Review and Approval.** The
12 issuance of the Bonds and the execution and delivery of any documents to which the Village is a
13 party in connection therewith shall be subject to a review of the Project by the Village in the
14 normal course. Issuance of the Bonds will be subject to the approval and authorization by the
15 Village Council pursuant to the Bond Ordinance. The Village Administrator is hereby
16 authorized to publish notice of intent to adopt a Bond Ordinance, in substantially the form
17 attached hereto as Exhibit A, at least fourteen (14) days prior to the public meeting at which the
18 Village Council will consider the Bond Ordinance, such public notice to specify the time, date
19 and location of the Village Council’s meeting. In connection with this Resolution, the Village
20 Council has been informed that the Company has expressed its understanding that a failure or
21 refusal of the Village Council, however arising, to adopt the Bond Ordinance will have the effect
22 of voiding any benefits to the Company under the Act, including voiding the Certificates issued
23 to the Company for capital equipment purchases and making such purchases subject to whatever
24 tax would be due if such Certificates had not been issued.

25 **SECTION 8. Further Steps.** The Mayor, Village Administrator, Special Counsel and
26 other appropriate Village officials are hereby authorized and empowered to take such steps and
27 to do such things as may be necessary to achieve the purposes of this Resolution.

28 **SECTION 9. Severability.** If any section, paragraph, clause or provision of this
29 Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or
30 unenforceability of that section, paragraph, clause or provision shall not affect any of the
31 remaining provisions of this Resolution.

1 **SECTION 10. Repealer.** All orders and resolutions, or parts thereof, in conflict with this
2 Resolution are repealed; this repealer shall not be construed to revive any order, resolution, or
3 part thereof, heretofore repealed.

4 **SECTION 11. Effective Date.** This Resolution shall take effect immediately upon its
5 adoption and approval by the Village Council and shall remain in effect, unless the Village
6 Council fails to adopt the Bond Ordinance within one hundred eighty (180) days following the
7 date of adoption of this Resolution.

8
9 *[Remainder of page intentionally left blank]*

PASSED, APPROVED, ADOPTED AND SIGNED THIS 5TH DAY OF DECEMBER, 2024.

**VILLAGE OF LOS LUNAS, NEW MEXICO
VILLAGE COUNCIL MEMBERS**

CHARLES GRIEGO, MAYOR

JAMES RUNYON, COUNCILOR

CRUZ MUÑOZ, COUNCILOR

CHRISTOPHER ORTIZ, COUNCILOR

GINO ROMERO, COUNCILOR

[SEAL]

ATTEST:

**GREGORY D. MARTIN
VILLAGE ADMINISTRATOR/VILLAGE CLERK**

APPROVED AS TO FORM

**SHERMAN & HOWARD, L.L.C.
SPECIAL COUNSEL**

Exhibit A**(FORM OF NOTICE OF INTENT TO ADOPT ORDINANCE FOR PUBLICATION)****VILLAGE OF LOS LUNAS, NEW MEXICO****NOTICE OF INTENT TO ADOPT ORDINANCE**

Notice is hereby given of the title and general subject matter contained in an ordinance which the Village Council of the Village of Los Lunas will consider for adoption at a regular meeting on January 30, 2025 at the hour of 6:00 p.m. at the Council Chambers, 660 Main Street, Los Lunas, New Mexico 87031, relating to the approval by the Village of Los Lunas, New Mexico of its Industrial Revenue Bonds.

The title (subject to amendment or substitution) of the proposed Ordinance is:

VILLAGE OF LOS LUNAS, NEW MEXICO

ORDINANCE No. 479

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF INDUSTRIAL REVENUE BONDS FOR THE BENEFIT OF GREATER KUDU LLC TO BE ENTITLED VILLAGE OF LOS LUNAS, NEW MEXICO TAXABLE INDUSTRIAL REVENUE BONDS (GREATER KUDU LLC 2025 EXPANSION PROJECT) SERIES 2025 (THE "BONDS"), IN SIX (6) SERIES IN THE PRINCIPAL AMOUNT NOT TO EXCEED SEVEN BILLION, FIVE HUNDRED MILLION DOLLARS (\$7,500,000,000) EACH; PROVIDING THAT THE BONDS WILL BE ISSUED FOR THE PURPOSE OF INDUCING GREATER KUDU LLC TO EXPAND ITS EXISTING DATA CENTER CAMPUS TO INCLUDE NEXT-GENERATION DATA CENTER FACILITIES AND RELATED AND SIMILAR FACILITIES LOCATED WITHIN THE VILLAGE LIMITS; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS FROM LEASE PAYMENTS TO BE PAID BY GREATER KUDU LLC TO THE VILLAGE; AND PROVIDING FOR THE EXECUTION AND DELIVERY OF AN INDENTURE, A LEASE AGREEMENT AND A BOND PURCHASE AGREEMENT.

A general summary of the Ordinance is contained in its title. Complete copies of the proposed Ordinance will be on file and available for inspection or purchase at the office of the Village Clerk, 660 Main Street, Los Lunas, New Mexico 87031, during regular business hours. This notice constitutes compliance with NMSA 1978, Section 3-17-3 (1973).

Dated this 27th day of December, 2024, VILLAGE OF LOS LUNAS, NEW MEXICO.

By: _____
Village Administrator/Village Clerk

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, NOVEMBER 21, 2024**

The Board of Trustees of the Village of Los Lunas, County of Valencia, and State of New Mexico met Thursday, November 21, 2024, in regular session at 6:00 PM. Roll call was taken, and the following were present: Mayor Charles Griego, Councilman Christopher Ortiz, Councilman Cruz Munoz, Councilman James Runyon, and Councilman Gino Romero. The meeting was conducted in person and recorded through TEAMS.

Mayor:	Charles Griego
Mayor Pro Tem:	Gino Romero
Council:	James Runyon Christopher Ortiz Cruz Munoz

Also present were Gregory D. Martin, Debra Sanchez, Erin Callahan, Craig Donohue, and Luis Brown. In accordance with Ordinance 114A, the following agenda was prepared and circulated as required:

1. **PRESENTATION: PLAQUE TO HUNING FAMILY.**
2. **PRESENTATION: NEW MEXICO MAINSTREET – TOOLS AND OPPORTUNITIES.**
3. **PRESENTATION: HOMEWISE, INC.**
4. **I-25/NM6 ON & OFF RAMP REHAB AND RECONSTRUCTION PROJECT A301123.**
5. **LAMBROS LOOP IMPROVEMENT PROJECT LP30018.**
6. **ENVIRONMENTAL PROTECTION AGENCY (EPA) FEDERAL MANDATE – LEAD AND COPPER RULE.**
7. **EXECUTIVE SESSION:**
 - a) Hire Assistant Water Supervisor – Water Division / Public Works Department.
 - b) Hire Operator in Training - Water Division / Public Works Department.
8. **APPROVAL OF MINUTES:**
 - a) Minutes from November 7, 2024, Council Meeting.
9. **ADJOURNMENT.**

● **CALL MEETING TO ORDER.**

At 6:00 PM, Mayor Griego brought the meeting to order and welcomed the audience.

● **PLEDGE OF ALLEGIANCE.**

Mayor Griego asked Nancy Huning to lead the Council and TEAMS participants in the Pledge of Allegiance.

● **APPROVAL OF AGENDA.**

Mayor Griego asked if there were any changes to the council agenda – there were none. He then asked for a motion from Council.

APPROVAL: Motion to approve agenda.

MOVED: Councilman Ortiz

SECONDED: Councilman Romero

CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.**

● **PUBLIC INPUT FORUM.**

None.

1. PRESENTATION: PLAQUE TO HUNING FAMILY.

Mayor Griego along with the Village Council presented the Huning Family on behalf of Mayor Louis F. Huning with a plaque for years of outstanding service to the Los Lunas Community.

2. PRESENTATION: NEW MEXICO MAINSTREET – TOOLS AND OPPORTUNITIES.

Ms. Erin Callahan presented item two. Erin introduced Mr. Lucas Pedraza, Project Coordinator with the New Mexico Mainstream. New Mexico MainStreet's mission is to develop local capacity to engage people, rebuild places and grow the entrepreneurial, creative and business environment resulting in economically thriving down towns, greater business and employment opportunities and a higher quality of life. This kind of project we could do with you guys, so here's a list of different kinds of project place making. It could be creating a park or a food truck park, something like that in your downtown beside improvement program which I like, I just described historic preservation we.

Traditionally, we only work in designated Main Street areas, but the legislators saw legislators saw that there was a benefit that could be spread out to other communities that didn't quite have the capacity or didn't necessarily know if they wanted to have a full Main Street program. Lucas toured the downtown area with Erin and mentioned that if council are interested, they welcome an application.

3. PRESENTATION: HOMEWISE, INC.

Ms. Erin Callahan presented item three. Erin introduced Ms. Elena Gonzales, Chief Operating Officer for Homewise. Homewise is a nonprofit community lender and our main mission is to help create successful and sustainable homeowners and strengthen neighborhoods. So we're a mortgage lender and we truly believe in offering conventional financing, and we structure it to where there's no mortgage insurance and we do. Not to get in the weeds, but we do an 80% first mortgage and then home wise carries back like a 20% portfolio mortgage at the same rate. And we ask the family to come in with as little as 2% down, so it's cheaper than FHA, cheaper than most other conventional programs. Ms. Gonzales continued with her presentation and will be providing council with further information.

4. I-25/NM 6 ON & OFF RAMP REHAB AND RECONSTRUCTION PROJECT A301123.

Mr. Michael Jaramillo presented item four. This is for the I-25/NM 6 on and off ramps rehab and reconstruction project. This is a federally funded project with state money as well as local money. This project started two and half, three years ago. it was originally planned to be a DOT project, not a Village led project. We went out to bid and received two bids for this project. One of the requirement is to have DOT approval. There is concurrence with Molzen-Corben award to say that they meet the requirements of the responsive low bidder. Jonah from Molzen-Corbin started presentation. Project started three years ago and it originally started with if you can see my cursor, this is the southbound off ramp. If you're going southbound on I-25 and then you were to get off to come up into Los Lunas. It was to add an additional lane for the southbound to westbound movement and then over the years this project has morphed into a lot more than that. So there's an additional lane that's going to be added for the southbound off ramp, but then on NM 6. As we work with dot for this project, they wanted to eliminate the free ride movement where there's a single lane for the westbound to northbound movement, which is what this the aerial image shows that lane right there. The DOT had us remove that as part of this project for to improve pedestrian safety and so in order to remove that lane while still maintaining capacity. The project includes 2 right turn lanes for the westbound and northbound movement to get onto I25 South. These two right turn lanes and these two left turn lanes required widening for the northbound on ramp, which is what's happening here. This ramp is being widened to allow for two receiving lanes that eventually merge into one. So if we were to award it today to Desert Fox, they have a lot of federal paperwork to do as a requirement of the funding. We're hoping that they could have that done in the next three months, so maybe construction could be starting as I would say as early as March. And they for substantial completion to where the full project could be open to the public without closures - we're looking at six to seven months. Low bid is Desert Fox excluding NMGR for \$4,377,389.73. Mayor Griego asked for a recommendation.

APPROVAL: Motion to approve Desert Fox Inc. for \$4,377,389.73.

MOVED: Councilman Romero

SECONDED: Councilman Runyon

CARRIED: Motion passed on a vote of 4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.

5. LAMBROS LOOP IMPROVEMENT PROJECT LP30018.

Mr. Michael Jaramillo presented five. This project is the Lambros Loop Improvement Project. This is one that we receive money about three years ago for and we kind of had to put it on delay because of the Rio Metro edition that they just recently done. We're going to be doing sidewalks, going to repulse the road, going to do a few improvements if any storm water. I know the agreement says lighting, but we're not. We don't have very much lighting in there, but we're basically going to put sidewalks on the both sides of the road. We received two bids - one from Desert Fox Paving and one from Young Guns, LLC. Low bid came from Desert Fox Paving for \$638,412.00. Mayor Griego asked if there was a motion from council.

APPROVAL: Motion to approve Desert Fox Paving for \$638,412.00.

MOVED: Councilman Ortiz

SECONDED: Councilman Runyon

CARRIED: Motion passed on a vote of 4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.

6. ENVIRONMENTAL PROTECTION AGENCY (EPA) FEDERAL MANDATE – LEAD AND COPPER RULE.

Mr. Michale Jaramillo and Mr. Scott White presented item six. We have provided lots of information in your packets – the objective is to make you aware, is to identify lead and copper as well as galvanized pipe water systems that we have in our public drinking inventory. We need to now give the public notice and again, we're not here to alarm the public note public at all, We are just here to say this is what we are going to do, This is what we are here to do to help, and there is no funds available for us at this time to do any kind of testing for them, We are going to be putting out informational packet that offer agencies that are in Albuquerque that do testing if they want to get tested. And if they do, they're going to bring those test results back to us so we can help again. Scott White gave a brief presentation/update. I don't want the village to be responsible for helping all these out and there is a note here that the public water systems are not responsible for the internal for homeowners, for homeowners. We are responsible for what we provide to the public, but not into their properties, so it needs to be noted because we may get questions about that. If they find lead in their line, what are we going to do to help them? And right now I don't have an answer. Discussion continued. Mayor and Council thanked staff for the information.

7. EXECUTIVE SESSION.

Mayor Griego announced that the Council would be going into executive session pursuant to NMSA 1978 Section 10-15-1(H), the following matters may be discussed in a closed session: hire an Assistant Water Supervisor and hire an Operator in Training.

APPROVAL: Motion to approve.
MOVED: Councilman Runyon
SECONDED: Councilman Ortiz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.** Adjourned at 7:32PM

At 7:58PM, Mayor Griego asked for a motion from Council to reconvene after discussion: hire an Assistant Water Supervisor and hire an Operator in Training.

APPROVAL: Motion to approve.
MOVED: Councilman Runyon
SECONDED: Councilman Ortiz
CARRIED: Motion passed on a vote of **4 (Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.**

Regarding the Assistant Water Supervisor – Mayor Griego recommended Fernando Padilla.

APPROVAL: Motion to approve.
MOVED: Councilman Runyon
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.**

Regarding the hiring of a Operator in Training – Mayor Griego recommended Nico Baca.

APPROVAL: Motion to approve.
MOVED: Councilman Ortiz
SECONDED: Councilman Runyon
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.**

8. MINUTES.

Mayor Griego asked if there were corrections to the Council minutes of November 7,, 2024 – there were none.

APPROVAL: Motion to approve.
MOVED: Councilman Ortiz
SECONDED: Councilman Romero
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman James Runyon – yes; Councilman Cruz Munoz – yes) FOR AND 0 AGAINST.**

9. ADJOURNMENT.

Council meeting adjourned at 8:05PM.

Gregory D. Martin, Village Administrator

Charles Griego, Mayor

**ZONING CODE UPDATE WORKSHOP
MINUTES
VILLAGE OF LOS LUNAS
THURSDAY
NOVEMBER 14, 2024**

The Board of Trustees of the Village of Los Lunas, County of Valencia, and State of New Mexico met Thursday, November 14, 2024 in a workshop started at 6:00 PM at the Council Chambers. Roll call was taken and the following were present: Mayor Charles Griego, Councilman Patrick Ortiz, Councilman Gino Romero, Councilman James Runyon, and Councilman Cruz Munoz.

Mayor:	Charles Griego
Mayor Pro-Tem:	Gino Romero
Council:	Christopher Ortiz James Runyon Cruz Munoz

Also present: Gregory D. Martin, Debra Sanchez, Craig Donohue, Alex Ochoa, Sonia Walker, Andy Gomez, Jackie Fishman, consultant from Consensus Planning.

In accordance with Ordinance 114A, the following agenda was prepared and circulated as required:

- 1) *Introductions.***
- 2) *Article III & V draft revisions***
- 3) *General discussion***
- 4) *Adjourn***

- Mayor Griego welcomed everyone to the workshop.
- Alex welcomed everyone to the workshop and made introductions.
- This is the second to the last of the zoning code update workshops. We will going over mostly Article 5 but may touch on Article 3 just a bit. Article 3 is the whole matrix with all the uses. Alex also commented that he would be discussing a potential timeline for approval.
- Article 5 – going over parking and loading standards. The landscaping and screening standards fencing and walls, outdoor lighting and signs. These are all development standards for any use that s trying to develop. Commercial projects coming in, they will need to comply with all of these parking, lighting, landscaping and siding standards.
- They have divided the parking standards according to the type of uses.
- We have a minimum parking standards and this is off street parking by types of land uses. We start with residential – you go to civic and institutional uses and these are the same categories that we have in the use table.
- Currently in the code, a satellite parking lot that is allowed and then we go into types of parking – accessible parking and how many accessible spaces are required.
- We have a little section on electric vehicles.
- Mayor Greigo commented on issues with people waiting to deliver – is there anything in the code that talks about waiting. Jackie replied that there is a section regarding unloading. It talks about not being allowed to park in the public right away, not being allowed to block your pathway to the store or whatever.
- On pave 90 – we have a table 1712 and 0107 that is off street loading space requirements. For less than 25,000 sq ft minimum number of loading spaces would be 125 to 49,999 and then 50 to 99,999 would be 200,000 to 125 be three and then each additional 50,000 sq ft above 125,000 sq ft would require another loading space.
- Jackie proceeded with her presentation – regarding new small section on EV electric vehicles that is consistent with the state of New Mexico mandate that we have EV vehicles in mostly in commercial development. So the state regulation does have a similar table to what you saw for the accessible parking spaces where if there is a particular use this many spaces need to be related for EV or eventually accessible. It is the same for residential developments where it is built into the code where new structures, new residential developments have to be EV capable in the future not that the developer needs to actually install the actual charger just that they have the ability to have them in the future. EV station coming in – will be located behind Pet Sense and will be maintained by DOT.
- We also have a section for motorcycle parking and for bicycle parking, which is new to the code.
- There's a required landscape plan and what would be required on that plan.
- The current signs that are up right now, we have not had any issues. The only signs that we have continuously had issues with are the banners – they stay out for a long time. They get dilapidated and the property owners do not take them down.
- There's a section on signs allowed on private property, primary signs, secondary signs, temporary signs, signs allowed with the public right of way, and so on. There is a lot of detail but it is better than it currently is.

- Fencing materials in general is just not to allow barbed wire on fences, unless it's for, you know, agricultural purposes. Those sort of things try to limit people from using like brush as fencing, you know, like the coyote fencing or, like railroad ties, those sort of things definitely are okay.
- Extensive discussion about parking.
- Alex wanted to discuss a couple of things with Council before they left – potential timeline for approval for the zoning code. Hope to potentially get this in front of the Planning & Zoning Commission in January for potential approval (January 15th) and before Council on January 30th.
- A primary care that is looking to come into the village, they are looking to build a new structure. One of those being they can comply with our current code, but if they are going to comply with the future code, they would have to go through a zone change process to allow for a new development and apply a different development standards which could delay their timeline, but with this grace period that we're kind of proposing is it would allow them to continue with their development as is. In the future, there wouldn't necessarily be any issues with any sort of future developments. So it is giving them a grace period for the developer themselves to choose if they would like to do the new or the old. So it's basically a transition period is more or less what it is.
- Nothing more to discuss.
- Meeting adjourned 7:35PM.

Charles Griego, Mayor

ATTEST:

Gregory D. Martin, Village Administrator