

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, FEBRUARY 25, 2021**

The Board of Trustees of the Village of Los Lunas, County of Valencia, and State of New Mexico met Thursday, February 25, 2021 in regular session at 6:00 PM at the Council Chambers. Roll call was taken and the following were present: Mayor Charles Griego, Councilman Christopher Ortiz, Councilman Phillip Jaramillo, Councilman Cruz Munoz, and Councilman Gino Romero. Meeting was conducted and recorded through Webex.com.

Mayor:	Charles Griego
Mayor Pro Tem:	Christopher Ortiz
Council:	Gino Romero Phillip Jaramillo Cruz Munoz

Also present were: Gregory D. Martin, Debra Sanchez and Martin Callahan.

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

- 1. STORMWATER POLLUTION PREVENTION PLAN (SWPPP).**
- 2. FINAL PLAT APPROVAL FOR LEGACY AT SIERRA VISTA PHASE I.**
- 3. RESOLUTION 21-07 – VILLAGE OF LOS LUNAS EMERGENCY DECLARATION.**
- 4. RESOLUTION 21-06 – INTERIM BUDGET ADJUSTMENTS FOR 2021.**
- 5. HUNING RANCH LOOP EAST SEWER INTERCEPTOR LINE.**
- 6. RESOLUTION 21-04 – APPLICATION FOR MAP FUNDING 2021/2022.**
- 7. RESOLUTION 21-05 – APPLICATION FOR COOP FUNDING 2021/2022.**
- 8. EXECUTIVE SESSION:**
 - a)** Hire FT Park Technician I – Parks Division / Parks and Recreation Department.
- 9. APPROVAL OF MINUTES:**
 - a)** January 28, 2021 Council Meeting.
- 10. 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 Debra Sanchez to lead the Council and WebEx participants in the Pledge of Allegiance.

● **APPROVAL OF AGENDA.**

Mayor Griego asked audience to place their names in the chat box – who wanted to be heard for item 2 during the public comment. Mayor Griego asked if there were any changes to the agenda – there were none. Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve council agenda.

MOVED: Councilman Romero

SECONDED: Councilman Munoz

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

1. STORMWATER POLLUTION PREVENTION PLAN (SWPPP).

Councilman Ortiz and Michael Jaramillo presented item one. Storm water Pollution Prevention Plan - this is for new development and contractors who come in to start construction that they need to have the proper drainage for water or rain. Currently, there is construction affecting an adjoining neighborhood where there is erosion. New construction is required to obtain a permit, which would require someone to patrol the area for drainage, dust and erosion. The Village has submitted an application to the State for permitting but the State is waiting for their approval from EPA. Michael mentioned that the Village is currently working on a plan that would regulate contractors to follow proper guidelines for controlling erosion, dust and drainage. (**INFORMATIONAL PURPOSES ONLY**).

2. FINAL PLAT APPROVAL FOR LEGACY AT SIERRA VISTA PHASE I.

Mayor Griego asked for a motion from Council to adjourn and open in a public meeting.

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 Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.** Adjourn at 6:11PM

Mayor Griego asked the Village Attorney, Larry Guggino, to speak. Mr. Guggino commented that the issue is – the buffer area in Tract E is not part of this request and not part of the preliminary plat. Under New Mexico law, once you receive preliminary plat approval and the developer had done things under that plat you are stuck with reviewing if they have complied with that preliminary plat approval. Under our ordinance, the Village Council shall approve the requested application unless it concludes based on the information submitted at the hearing. There are a list of things that Council should consider in this matter – the permissive use is not according to the table of permissible uses. Second, can consider that the application is incomplete. Another is to consider, the development as proposed, will materially endanger public health or safety of the people. The development proposed will substantially damage the adjoining property. Finally, the Council consider the development as proposed will not be in general conformity with the land use plan for other plan officially adopted by the Council. Tract E clearly has a buffer in it – should be considered in the preliminary plat. If developers are in compliance with the preliminary plat, it is hard to say no. Mayor Griego asked Council if they had any questions. Councilman Romero asked Erin Callahan if she could comment if Tract B is in compliance. Erin replied that staff has reviewed the plat and is in conformance – approval is recommended. Mayor Griego asked for a motion from Council on item two.

APPROVAL: Motion to approve final plat.
MOVED: Councilman Jaramillo
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.** Minutes on last page.

3. RESOLUTION 21-07 – VILLAGE OF LOS LUNAS EMERGENCY DECLARATION

Fire Chief John Gabaldon presented item three. Resolution 21-07 is a declaration of a local disaster and public health emergency the ability to take measures to reduce the possibility of exposure to disease, control and risk, prevent the spread of the disease. The enactment by this declaration, the Village Council declares all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of this incident. Chief Gabaldon also mentioned that they would be receiving more vaccines, but that they also need more volunteers. Mayor Griego asked Council if there were any questions – there were none. Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve resolution 21-07.
MOVED: Councilman Romero
SECONDED: Councilman Ortiz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

4. RESOLUTION 21-04 – INTERIM BUDGET ADJUSTMENTS FY 2021.

Ms. Rebekah Klein presented item four. Rebekah presented the interim budget with expenditures and revenues for FY 2021. She presented items to Mayor and Council – increases to accounts along with the expenditures. There were increase to the GRT, building permits were down, salary adjustments, increase for the manager (was not in the original request) and a vehicle for IT was added as well as a truck for the Parks Department. Expenditures are \$1.2 million and approximately \$3.7 million in the general fund. Council complimented Rebekah for a job well done and to her team. Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve resolution 21-04.
MOVED: Councilman Jaramillo
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

5. HUNING RANCH LOOP EAST SEWER INTERCEPTOR LINE.

Mr. Michael Jaramillo presented item five. This project is being funded by the State LEDA funds that are available. There were quite a few bidders. This is the for installation of a new sewer extension primarily intended to provide sewage services to developing facilities north of NM 6 but will also intercept and covey sewage from existing Jubilee and Huning Ranch subdivision. Recommendation is for low bidder, Anchor Built. Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve low bidder Anchor Built for \$2,027,416.79.
MOVED: Councilman Romero
SECONDED: Councilman Ortiz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

6. RESOLUTION 21-04 – APPLICATION FOR MAP FUNDING 2021/2022.

Mr. Michael Jaramillo presented item six and seven together. The Village is responding to an invitation by submitting a proposal to the New Mexico Highway and Transportation Department District III office to participate in the 2021/2022 Municipal Arterial Program (MAP). The Village will be required to match a 25% of the total cost of the project and the scope of the work is intended to improve the roadway condition of South Los Lentos to Courthouse Road. Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve resolution 21-04.
MOVED: Councilman Munoz
SECONDED: Councilman Jaramillo
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

7. RESOLUTION 21-05 – APPLICATION FOR COOP FUNDING 2021/2022.

Mr. Michael Jaramillo presented item seven. The Village is responding to an invitation by submitting a proposal to the New Mexico Highway and Transportation Department, District III office to participate in the 2021/2022 Cooperative Agreement Funding Program (COOP). The match requirement is 25% of the total cost of the project and the scope of the work is intended for Entrada Drive. Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve resolution 21-05.
MOVED: Councilman Ortiz
SECONDED: Councilman Romero
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

8. EXECUTIVER SESSION – pursuant to NMSA 1978 Section 10-15-1(H), the following matters may be discussed in closed 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 closed session: there is only one applicant for the FT Park Technician I position – there was no break for executive session. This was an internal applicant.

APPROVAL: Motion to approve Mr. Alejandro Martinez for the position of FT Park Technician I.
MOVED: Councilman Jaramillo
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

9. MINUTES.

Mayor Griego asked if there were corrections to the council minutes of February 11, 2021 – there were none.

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

10. ADJOURNMENT.

Council meeting adjourned at 7:42PM.

Gregory D. Martin, Village Administrator

Charles Griego, Mayo

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, FEBRUARY 25, 2021**

2. FINAL PLAT APPROVAL FOR LEGACY AT SIERRA VISTA PHASE I.

Ms. Erin Callahan presented item two. Erin wanted to note that with the public comment, she has received several requests to be added to the comment list. Anyone who enters their name in to that chat they will be added to the list. The item before us is the Legacy at Sierra Vista Phase 1 Final Plat – this is a final plat and was not heard by the Planning & Zoning Commission. This is strictly a Council decision. This final plat is to subdivide Sierra Vista for Phase 1 of Legacy and the associate roadways that will be needed to access Phase 1. Request will create 74 single-family residential lots. The legal descriptions Subd: SIERRA VISTA Tract: B T: 7N R: 1E 37.17 ACRES Plat M-425; Subd: SIERRA VISTA Tract: C S: 24 T: 7N E: 1E 2.18 ACRES PLAT M-425; Subd: SIERRA VISTA Tract: D S: 24 T: 7N R: 1E 25.64 ACRES PLAT M-425; and Subd: SIERRA VISTA Tract: F S: 23 T: 7N R: 1E 53.70 ACRES Plat M-425. The property owner is Sierra Vista, Los Lunas LLC and Double M Properties, Inc. LLC. Represented by Issacson & Arfman, Inc. Notice of public hearing was published in the Valencia News Bulletin on February 4, 2021 and mailed by certified mail to adjacent property owners. The development review committee received no phone calls or letters in opposition of this request, but at the beginning of this week, we did receive a petition from a bulk of the residents within Jubilee opposing the request. The surrounding zoning is N1, manufacturing to the North which is vacant and also has the Facebook site and to the East is special use within the Huning Ranch subdivision – this is the Jubilee Community, to the south special use vacant within the Sierra Vista area plan and to the West also special use vacant and as well rural residential - El Cerro de Los Lunas, Open Space Hill and associated drainage facilities. Staff met on February 2, 2021 and had the following comments: Public Works Department requested an additional public utility easement over an existing waterline and access easement. In addition, with final plats, we see the infrastructure being submitted for dedication for public maintenance. Item is being submitted with a financial guarantee, which will allow the sub-divider to record the final plat if approved while the final subdivision infrastructure is taking place. The preliminary plat was submitted in phases and because of this, the council was able to consider final platting in phases – they will be brought before council at a later date. This item was reviewed and was substantially in conformance with the preliminary plat that was submitted. Erin wanted to introduce a petition that she received from Jubilee asking that the item be opposed for a number of reasons. These were reviewed by our legal counsel - based on staff review and the evaluation committee we recommend approval of this final plat. Erin asked for questions. Mayor Griego asked council if they had any questions – not at this time. Developer made comment – Justin Simenson, they are happy to submit final plat – there are 74 lots. There were no comment from council. Mayor Griego asked how they were going to handle the dust. Mr. Bob Pruitt replied they have been working steadily to work on the dust control. They started off with hydro seeding – this failed due to no precipitation. They put up some windbreaks and have installed wind fences. Mr. Pruitt also explained that when you have construction going on, there is going to be dust. They will continue to work on the situation, but there will be dust. Mayor Griego asked if there were any questions from Council - Councilman Ortiz questioned the grading on the entire tract instead of sections. Mr. Pruitt explained that their access is off NM6 and their utilities come from the east – working on apartment. They looked for alternatives for working on the apartments and Legacy. Mayor Griego asked Council if there were any questions – there were none. Erin Callahan commented that she had a list from the chat box of people who signed up to speak. Mayor Griego also mentioned that there are people who received notice – they are entitled to speak first. Mr. David Shorr is on the list – he was the only on the list (residents who received notice).

Comments from Public:

Mr. David Shorr – complaint / blowing sand over the neighborhood. Issues regarding the hill and canal.
Ms. Pia Louchios – complaint / representative from Jubilee: moving dirt from east to west contributing to dust, elevation was raised, drainage going along tract B, according to area plan – was not supposed to be moved. (Speaker had bad connection).
Mr. Chris Yates – complaint / representative from Jubilee: health issues from blowing dust; damage to property and vehicles (cost).
Ms. Judith Rosenstein – complaint / blowing dust; spending thousands of dollars to clean up; dirt hills higher than homes; not enough concern from Village of Los Lunas; want to rid the hill; and replant arroyo

(Mayor Griego reiterated that Tract E will come before Planning and Zoning on March 17, 2021. Recommends that everyone be at that meeting.)

Mr. David Darling – complaint / developer has acted in bad faith; requesting conditional restrictions, stop dust, provide new drainage.
Ms. Myra Baker – complaint / blowing dust, dust is killing partner.
Mr. Mark Rizzo – complaint / commented on remarks from Mr. Pruitt. More fine dirt; invited Mayor to visit area. Has pictures to share after dust storm; landscape is damaged.
Ms. Peggy Warmer – complaint / backyard is unusable; blowing sand; concern for the future of the development, remove hill next to Jubilee.

Mayor Griego asked Council if there were any questions – there were none. Mayor Griego asked for a motion from Council to close public hearing and reconvene in regular council meeting.

MOTION: Motion to approve.
MOVED: Councilman Jaramillo
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.** Closed at 7:10PM

