

**VILLAGE OF LOS LUNAS  
REGULAR COUNCIL MEETING AGENDA  
THURSDAY, JANUARY 28, 2021 – 6:00 PM  
COUNCIL CHAMBERS - 660 MAIN STREET  
LOS LUNAS, NM 87031**

**ATTENTION:**

In an effort curb the spread of COVID-19 by practicing social distancing and limiting public gatherings, we encourage you to participate in the council meeting from the comfort and safety of your own home by entering or clicking on the following link:  
<https://www.loslunasnm.gov/meeting>

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

- CALL MEETING TO ORDER.
- PLEDGE OF ALLEGIANCE.
- APPROVAL OF AGENDA.

**ERIN CALLAHAN**

**1. ORDINANCE 276-2021-2 – AN ORDINANCE PROVIDING FOR THE CHANGE IN ZONING OF A DESIGNATED AREA WITHIN THE MUNICIPALITY OF LOS LUNAS, COUNTY OF VALENCIA, STATE OF NEW MEXICO.**

**TAB**

**1.**

**ACTION REQUESTED OF COUNCIL:**

**HOLD PUBLIC HEARING.** Approve or disapprove.

**BACKGROUND AND RATIONALE:**

Stephanie Williams, representing 98-A Limited Co., has requested conditional approval that the east portion of Subd: Land of Floyd D & Shelly Harris Tract: 103B1C1B 1.18 Acres Map 73 1995 Rev, with a street address of 259 Gensen Dr SW, shall be zoned R-1 and the west portion remain A-R, and that such zoning will take effect only after a lot split and summary plat have been approved for Subd: Land of Floyd D & Shelly Harris Tract: 103B1C1B 1.18 Acres Map 73 1995 Rev to ensure that the current parcel does not have split zoning and minimum lot sizes are met.

**GREGORY D. MARTIN  
JILL SWEENEY**

**2. RESOLUTION 21-03 – 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 SIX BILLION, SIX HUNDRED SIXTY-SIX MILLION, SIX HUNDRED SIXTY-SIX THOUSAND, SIX HUNDRED SIXTY-SEVEN DOLLARS (\$6,666,666,667) 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 DATA CENTER CAMPUS AND RELATED AND SIMILAR FACILITIES LOCATED WITHIN THE VILLAGE LIMITS AND IN THE MANNER SET FORTH IN THE IRB APPLICATION AND THE PROJECT PLAN.**

**TAB**

**2.**

**ACTION REQUESTED OF COUNCIL:**

Approve or disapprove.

**BACKGROUND AND RATIONALE:**

The Applicant has filed an Industrial Revenue Bond Application requesting the Village to consider issuing industrial revenue bonds for the benefit of Greater Kudu, LLC. The Applicant anticipates that the project would consist of the construction and equipping of an expanded data center campus and related and similar facilities, specifically two data center buildings and if fully built out, a total of six data center buildings. The Applicant estimates the construction and equipping costs for the first two buildings to be in excess of \$800 million and anticipates that the project would support hundreds of construction jobs during the two-year buildout and 30 direct full-time employees following completion of the first two buildings of the project. The industrial revenue bonds would provide real property, personal property, gross receipts and compensating tax exemptions to defray part or all of the costs of the project which may serve to encourage economic development in the area. In return for the tax exemptions, the Applicant would agree to an annual payment in lieu of taxes for each data center building. The Resolution indicates the non-binding intent of the Village to proceed with the issuance of industrial revenue bonds for the financing of the project. The issuance of the bonds and the execution and delivery of any documents to which the Village would be a party remain subject to the review of the project by the Village. The bonds would be issued pursuant to the terms of an ordinance expected to be considered by the Village Council on or about March 11, 2021.

**MICHAEL JARAMILLO  
LARRY GUGGINO**

**TAB**

**3. AMENDED WATER/WASTEWATER AGREEMENT WITH NIAGARA BOTTLING ALLOWING NIAGARA BOTTLING TO EXPAND ITS PRODUCTION CAPABILITIES.**

**3.**

**ACTION REQUESTED OF COUNCIL:**

Approve or disapprove.

**BACKGROUND AND RATIONALE:**

On February 23, 2017, the Village and Niagara Bottling entered into an amended agreement for the provision of water and wastewater services to Niagara Bottling by the Village. That Agreement provides that Niagara is a regular customer of the Village water and wastewater services. In the February 23, 2017 Agreement, the Village agreed to supply Niagara up to 285 AFY of water. In order for the Village to supply Niagara Bottling with the amount of water as stated in the Agreement, Niagara Bottling transferred water rights it leased from PNM into the Village's wells. In the current Agreement, if Niagara Bottling desires to expand its production, Niagara Bottling is required to purchase and transfer consumptive use water rights into the Village wells in accordance with Paragraph 5 of the current agreement. Niagara Bottling has requested to expand its plant and is requesting the Village to agree to provide up to 650 AFY of water to them. Clayton TenEyck has completed an analysis of this request and its impact on the Village water and wastewater system. The proposed amended agreement requires Niagara to transfer suitable water rights into the Village's wells by lease to offset their water consumption. Niagara plans to secure these additional water rights with a lease from PNM.

**MICHAEL JARAMILLO**

**TAB**

**4. NORTH WATER LINE RIVER CROSSING – PHASE 1.**

**4.**

**ACTION REQUESTED OF COUNCIL:**

Approve or disapprove.

**BACKGROUND AND RATIONALE:**

The Public Works Department received seven (7) responsive bids to install a new North Waterline River Crossing Phase I from North Los Lentos Road under the Rio Grande River to NM 47 just north of the church on Rallier Road. This project is funded by a Drinking Water State Revolving Loan Fund Subsidy Agreement (DWSRLF) in the amount of \$4,279,370.00. The Village of Los Lunas will repay this 20-year loan at 1% interest through the Water Sewer Enterprise Fund.

**Base Bids received without NMGR:**

File Construction, LLC	\$3,891,611.00
NM Underground Utilities, Inc	\$4,036,022.00
Lone Mountain Contracting, Inc	\$4,423,344.00
Adame Construction, Inc	\$4,471,860.00
Smithco Construction, Inc	\$4,533,550.00
TLC Plumbing and Utility	\$4,638,840.00
AUI, Inc	\$4,960,336.00

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

**TAB**

**5.**

- a) Hire FT Residential Driver – Solid Waste Division / Public Works Department.
- b) Hire FT Operator In-Training – Waste Water Treatment Plant / Public Works Department.

**6. APPROVAL OF MINUTES.**

**TAB**

**6.**

- a) Minutes from January 14, 2021, Council Meeting.

**7. ADJOURNMENT.**

***If you are an individual with a disability who is in need of 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.***