

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, JANUARY 26, 2023**

The Board of Trustees of the Village of Los Lunas, County of Valencia, and State of New Mexico met Thursday, January 26, 2023, in regular session at 6:00 PM. Roll call was taken and the following were present: Mayor Charles Griego, Councilman Christopher Ortiz, Councilman James Runyon, Councilman Cruz Munoz, and Councilman Gino Romero. Meeting was conducted in person and recorded through TEAMS.

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

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

- 1. DESIGNATED USE PERMIT FOR 2313 LOS LENTES RD. NE.**
- 2. SCHOOL OF DREAMS ACADEMY – DEVELOPMENT UPDATE AND FUTURE PLANS.**
- 3. 2022 VILLAGE OF LOS LUNAS GIS LAYERS – ZONING & STREETS.**
- 4. EXECUTIVE SESSION**
 - a) Hire Casual Library Aide – Library Department.**
 - b) Hire FT Children’s Librarian – Library Department.**
 - c) Hire 2-FT Street Laborers – Street Division / Public Works Department.**
 - d) Hire FT Street Maintenance worker – Street Division / Public Works Department.**
 - e) Hire FT Fire Lieutenant – Fire Department.**
 - f) Hire FT Firefighter Engineer – Fire Department.**
 - g) Hire Temporary Planning Intern – Community Development Department.**
- 5. APPROVAL OF MINUTES:**
 - a) Minutes from January 12, 2023, Council Meeting.**
- 6. 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 Firefighter 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 agenda – there were none. The mayor asked council for a motion.

APPROVAL: Motion to approve agenda as presented.

MOVED: Councilman Ortiz

SECONDED: Councilman Romero

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

● **PUBLIC INPUT FORUM.**

None.

1. DESIGNATED USE PERMIT FOR 2313 LOS LENTES RD. NE.

Mayor Griego asked for a motion from Council to recant and go into an open hearing.

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 Runyon – yes; Councilman Munoz - yes) FOR AND 0 AGAINST.** 6:02PM – minutes on last page.

Mayor Griego asked for a motion from Council regarding item one.

Motion to adopt the findings of Planning & Zoning and deny the designated use permit.

MOVED: Councilman Romero

SECONDED: Councilman Munoz

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

2. SCHOOL OF DREAMS ACADEMY – DEVELOPMENT UPDATE AND FUTURE PLANS.

Mr. Michael Ogas presented item two. Mr. Ogas proceeded with presenting their plan for SODA. In the fall of 2008, we were chartered on October 8th, approved by the Public Education, and began serving children in August 2009. Since the beginning we knew we needed to find a permanent place and build. They have position themselves to get funding from the State and build a wonderful facility. During the pandemic, we grew almost 200 students by using virtual learning. The request is simple – regarding the 20 acres, we are on a lease purchase agreement on the northern ten acres. The first request is for the Council to amending your October 2019 decision (making quarterly payments), would like to have this action amended and include the southern ten acres and foundation will make payments for the additional amount. The second request is for the Village to put a hold on the planned road project on that property scheduled for June 2023. Mr. Ogas continued with presentation – shared demographics with Council. Mr. Ogas commented that Charter Schools are higher performing schools. They have 95 staff members, 15 contractors, and deal with over 100 vendors on a yearly basis. Their current ranking is number one. They are currently working on a facility master plan. Plan to break ground a year from now on the facilities. Mayor Griego asked what the application timeline was for acceptance or denial. Mr. Ogas responded; it should be fairly quickly. However, a couple of years ago, they raised the match where some of the schools could not afford the match. Given the best-case scenario, we should get notification within six months. Mayor Griego commented that they would need some guarantees that the project is going to move forward and if it doesn't work then the ten acres will come back and be out of the equation and we'll have to look at alternatives. Councilman Romero had a comment – he was newly on the Council when this agreement was made on the timeline on the 20 acres, promises were made. His concern is what's preventing us from going down that same path. Mr. Ogas replied, that timeline we were looking at then was when they were applying for private funding. There was some restriction that our Governing Council did not agree with. Mayor Griego thanked everyone for coming. **Informational purposes only.**

3. 2022 VILLAGE OF LOS LUNAS GIS LAYERS – ZONING & STREETS.

Mr. Alex Ochoa presented item four. Alex is seeking approval of the official zoning and street layer – it comes before Council every year. We no longer publish this information it can be found online. Alex presented a recap of all the land uses that they have gone through, more less the changes of last year, all of the zoning layer changes, and also additions to the street layers. Mayor Griego asked if there were any questions from Council – there were none. Mayor Griego asked for a motion from Council.

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 Runyon – yes; Councilman Munoz -yes) FOR AND 0 AGAINST.**

4.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 matter may be discussed in closed session: hiring a Casual Library Aide, hiring of a FT Children's Librarian, hiring of 2-FT Street Laborers, hiring of a FT Street Maintenance Worker, hiring of a FT Fire Lieutenant, hiring of a FT Firefighter Engineer, and hiring of a Temporary Planning Intern.

APPROVAL: Motion to adjourn into executive session

MOVED: Councilman Runyon

SECONDED: Councilman Ortiz

CARRIED: Motion passed on a vote of **4 (Councilman Romero - yes; Councilman Ortiz – yes; Councilman Runyon – yes; Councilman Munoz -yes) FOR AND 0 AGAINST.** 7:42PM

At 8:26PM, Mayor Griego asked for a motion from Council indicating that they discussed the hiring of Casual Library Aide, hiring of a FT Children's Librarian, hiring of 2-FT Street Laborers, hiring of a FT Street Maintenance Worker, hiring of a FT Fire Lieutenant, hiring of a FT Firefighter Engineer, and hiring of a Temporary Planning Intern.

APPROVAL: Motion to approve

MOVED: Councilman Romero

SECONDED: Councilman Runyon

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

Regarding the hiring of a Casual Library Aide, Mayor Griego put up the name of Kenneth Turner.

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 Runyon – yes, Councilman Munoz - yes) FOR AND 0 AGAINST.**

Regarding the hiring of a FT Children’s Librarian, Mayor Griego put up the name of Catherine Best.

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 Runyon – yes, Councilman Munoz - yes) FOR AND 0 AGAINST.**

Regarding the hiring of a 2-FT Street Laborers, Mayor Griego put up the name of Justice Byers.

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

Second hire – Dominick Burnham.

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 Runyon – yes, Councilman Munoz - yes) FOR AND 0 AGAINST.**

Regarding the hiring of a FT Street Maintenance Worker, Mayor Griego put up the name of Moises Candelaria.

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

Regarding the hiring of a FT Fire Lieutenant, Mayor Griego put up the name of Reynaldo Carrillo.

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

Regarding the hiring of a FT Firefighter Engineer, Mayor Griego put up the name of Kevin Garcia.

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

Regarding the hiring of a Temporary Planning Intern, Mayor Griego put up the name of Liam Strader-Monaghan.

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

5. MINUTES.

Mayor Griego asked if there were corrections to the council minutes of the January 12, 2023, Council Meeting – there were none.

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 Runyon -yes; Councilman Munoz - yes) FOR AND 0 AGAINST.**

6. ADJOURNMENT.

Council meeting adjourned at 8:50PM.

Gregory D. Martin, Village Administrator

Mayor Griego

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, JANUARY 26, 2023**

1. DESIGNATED UE PERMIT FOR 2313 LOS LENTEST RD. NE.

Mayor Griego asked if there was anyone in the audience who were going to give testimony on either of the items to please stand and be sworn in by the Deputy Clerk, Debra Sanchez.

Ms. Erin Callahan presented items one. Richard and Feliz Pando have applied for a designated use permit for the property described as Subd: Land of Richard Pando Tract: 1A Serial: buc00342842 Year: 2011 Make: Schult Size: 14x76 3.34 Acres Map 67 2006 Rev, with a street address of 2313 Los Lentest Rd NE, for the purpose of allowing a cannabis producer establishment. The applicant is requesting a Designated Use permit for a micro cannabis production of 200 plants. Proposed use is agricultural, single-family residential, cannabis production. The applicant owners are Richard and Feliz Pando. This application was submitted on December 1, 2022, and heard by the Planning and Zoning Commission on January 4, 2023. This is council district 2, Councilman Gino Romero. Current zoning is A-R, current land use is agriculture and single-family dwelling, this is in the FEMA flood zone AE. Notice of public hearing was published in the Valencia County News Bulletin on December 15, 2022. Certified mail was sent out to residents/property owners within 300 ft. The Community Development Department has received 0 calls or letters in favor and 1 call in opposition of the request. One letter opposing the request was rescinded. At the Planning and Zoning Commission meeting there were several neighbors who spoke out in opposition of the request. Development Review Committee met regarding the application on December 8, 2022. The committee did not have any issues with the application as submitted. Staff has reviewed the application and comments were included in council's packet. Mayor Griego asked Council if they had any questions. Councilman Romero asked about the designation of the structure itself, it is non-compliant. Erin responded, the structure itself is non-complaint with the zoning setbacks – they do not have any reason to believe it was built after the zoning was established – built on the property line and extends all the way back to the side setback. Mayor Griego asked Council if they had any comments. Councilman Romero asked about the cannabis plants – he can only grow 200 plants, correct. Erin replied that the applicant is requesting to grow 200 plants with their license – the designated use just covers the land use. The cannabis license is regulated by the State of New Mexico. They are only asking to grow in the structure, there will be no outdoor growing. Mayor Griego asked if there was anyone who wanted to speak that were in favor of the approval. Mr. Edward Pando, Floyd Gutierrez, and Richard Pando will be speaking in favor of permit. Mr. Edward Pando will be presenting – they would like to build a organic-micro cannabis grow facility. No pesticides will be used and would be monitored by the State. Everything is organic and biodegradable causing no harm to the environment. The 200 plants will be grown indoors on a computer assisted drip system. The facility they are building would not require venting outside the building – plants would use the air via filtering. The plant they will grow will be medical grade. They are not a dispensary, they are a grow facility – cannabis will be moved by certified carrier, so there will not be a lot of traffic. Will be installing cyber security and cameras. They gave their assurance that no one would smell anything from their facility. There were no questions from Council. Mr. Floyd Gutierrez spoke in favor. They are trying other ways to make money. Mayor Griego asked if there was anyone else who wanted to speak in favor – there was none. He then asked if there was anyone who wanted to speak against the permit. Mr. Jerome Chavez approached the podium – he commented that he has been to many meetings before and usually have an engineer to explain how things are going to work. Mr. Erlene Franco approached the podium – she wanted to voice her concern about a permit that was requested by Richard Pando. Ms. Franco feels that their community is at risk. She asked if this property designated for agricultural use or for manufacturing and or commercial use. does it conform as a manufacturing and or commercial establishment in our residential area. Our residential area consists of houses, not manufacturing or cannabis producing establishments. Will we be one of the many other residential areas to become a pot community – she hopes not. Ms. Lori Gutierrez approached the podium – if permit is approved, she is afraid that other pot farms will pop up everywhere. The neighborhood is currently experiencing the odor from the cannabis farm located off Hwy 314 and Griego Road. This is causing health issues (respiratory) for neighbors. Ms. Gutierrez provided printed articles to the Mayor and Council for their review. Ms. Alicia Armijo approached the podium – she provided testimony to the Mayor and Council on VOC and carbon dioxide. Most cannabis plants produce a chemical VOC (Volatile Organic Compound) and she's aware of the air filters that will in place in the facility, but the way the air filters works it reduces VOC emissions it does not eliminate it. Cannabis is new in the State and regulators are scrambling to rules and regulations in place to make sure that our environment and people are safe. Ms. Viola Chavez approached the podium – she is against the cannabis permit, it is a residential area and does not want pot farms popping up everywhere. Mr. Pando approached the podium once again – he commented that this is what they wanted to hear, everyone concerns. He assured everyone that this is all organic. Councilman Ortiz asked Erin to refresh Council's memory manufacturing/sales of cannabis. Erin replied, the Village can regulate the time/place/manner of the states cannabis licenses and we can set zoning regulations. Anyone wanting to do cannabis production in AR in the agricultural residential zone, they are required to come in for a designated use permit which requires council approval in order to allow them to move forward. Mayor Griego asked Council if here were any questions – there were none. Mayor Griego asked the audience if there was anyone who wanted to speak either for or against the permit. Mayor Griego asked for a motion to close the public hearing process and return to regular council meeting.

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 Runyon – yes. Councilman Munoz - yes) FOR AND 0 AGAINST.** 6:48PM