

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, JANUARY 28, 2021**

The Board of Trustees of the Village of Los Lunas, County of Valencia, and State of New Mexico met Thursday, January 28, 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 Phillip Jaramillo, Councilman Cruz Munoz, Councilman Gino Romero and Councilmen Christopher Ortiz. 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 and Debra Sanchez.

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

- 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.**
- 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.**
- 3. AMENDED WATER/WASTEWATER AGREEMENT WITH NIAGARA BOTTLING ALLOWING NIAGARA BOTTLING TO EXPAND ITS PRODUCTION CAPABILITIES.**
- 4. NORTH WATER LINE RIVER CROSSING – PHASE 1.**
- 5. INTRODUCTION OF NEW LOS LUNAS SCHOOLS SUPERINTENDENT.**
- 6. EXECUTIVE SESSION:**
 - a)** Hire FT Residential Driver – Solid Waste Division / Public Works Department.
 - b)** Hire FT Operator In-Training – Waste Water Treatment Plant / Public Works Department.
- 7. APPROVAL OF MINUTES:**
 - a)** January 14, 2021 Council Meeting.
- 8. 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 Mr. Arsenio Romero to lead the Council and WebEx participants in the Pledge of Allegiance.

● **APPROVAL OF AGENDA.**

Mayor Griego announced that item five will move to item one and item three is for Informational Purposes Only. Mayor Griego asked for a motion from Council with the amendments.

APPROVAL: Motion to approve amended council agenda.

MOVED: Councilman Ortiz

SECONDED: Councilman Munoz

CARRIED: Motion passed on a vote of **3 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.**

(Councilman Jaramillo had not yet joined meeting).

1. INTRODUCTION OF NEW LOS LUNAS SCHOOLS SUPERINTENDENT.

Brian Smith presented the new Los Lunas Schools Superintendent, Arsenio Romero. Mr. Romero gave a brief introduction of his life history/education and employment history.

2. 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.

Mayor Griego asked for a motion to recess as Council and continue in a public forum.

APPROVAL: Motion to approve.
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.** Recess – 6:18PM.

Mayor Griego asked for a motion from Council

APPROVAL: Motion to approve and adopt findings of Planning & Zoning Commission.
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.** Minutes on last page.

3. 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.

Jill Sweeney presented item three. Resolution 21-03 is declaring the intent of the Village of Los Lunas to pursue industrial taxable revenue bonds for the benefit of Greater KUDU LLC. Applicant has filed an industrial application request the Village to consider issuing industrial revenue bonds for this project that would consist of the construction and equipping of a data campus. Application estimates that the construction for the first two buildings would be over \$800 million. The purpose of the industrial revenue bonds would be to provide real property, GRT, tax exemptions that would assist the company in defraying from costs of the project that would then encourage to project and economic development in the area. The applicant would agree to pay a payment in lieu of taxes. This resolution is the beginning of our industrial revenue bond process. Jill asked of the Council had any questions. Councilman Jaramillo about their timeframe. Jill replied we would move forward process and come back to Council somewhere mid-March for your consideration. Council had no comment. Mr. Buchholz replied that Ms. Sweeney explained everything. Mayor Griego asked for a motion from Council

APPROVAL: 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.** Minutes on last page.

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

Michael Jaramillo presented item four. Larry Guggino and representatives from Niagara are present. They have requested to present a plan for expansion. John Utton continued with presentation. Wanted to give an update – they want to come back for the first meeting of February as an action item. Niagara would like to double production at the plant. This would create a 46-60% increase in staff. They are currently working with Michael Jaramillo and Larry Guggino. Clayton TenEyck I has completed an analysis of this request and the impact on the Village water and wastewater system. At the next meeting they hope to have a final agreement. Lee Wilson is also completing a final report. John asked if there were any questions/comments. Jason Vangalis wanted to echo the same comment at John. Councilman Romero asked what was the time frame if approved. John replied by next January 2022. One of the requirements under the agreement is that both wells 3 and 7 be completed. Their timeline seems to fit well with that infrastructure improvement. Councilman Romero asked if they knew the percentage of bottles that stays in New Mexico. Jason replied 90%. Mayor Griego asked if there were any provisions in the agreement that in the event that any well(s) go down (example: last summer two wells went down). Larry replied he did not know if anything specifically addresses that issue – he would have to look at the agreement. Mayor Griego said he would like to look at this – there needs to be a process. The proposed amended agreement requires Niagara to transfer suitable water rights into the Village's wells by lease to offset their water consumption. Michael Jaramillo thanked everyone for their time.

This item was for informational purposes only.

5. NORTH WATER LINE RIVER CROSSING – PHASE 1.

Michael Jaramillo presented item five. The Public Works Department went out to bid 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 Raillier Road. Project is funded by a Drinking Water State Revolving Loan fund subsidy agreement in the amount of \$4,279,370. This loan will be repaid over 20 years at 1% interest through the Water Sewer Enterprise fund. We received seven bids with File Construction, LLC being the low bidder. Mayor Griego asked if there were any questions – there were none. Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve File Construction, LLC as low bidder for \$3,891,611.
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.**

6. 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 closed session: the hiring of a FT Residential Driver and hiring of a FT Operator In-Training.

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 Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.** 6:55PM

At 7:09PM, Mayor Griego asked for a motion from Council indicating that they discussed a request to hire FT Residential Driver and hiring of a FT Operator In-Training.

APPROVAL: Motion to approve
MOVED: Councilman Jaramillo
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.**

Regarding the FT Residential Driver, Mayor Griego recommended Mr. Daniel Aceves.

APPROVAL: Motion to approve
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.**

Regarding the FT Operator In-Training, Mayor Griego recommended Mr. Kenneth Brown.

APPROVAL: Motion to approve
MOVED: Councilman Jaramillo
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.**

Regarding the FT Operator In-Training, Mayor Griego recommended Mr. Josh Eakin.

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

7. MINUTES.

Mayor Griego asked if there were corrections to the council minutes of January 14, 2021 – there were none.

MOTION: Motion to approve.
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. ADJOURNMENT.

Council meeting adjourned at 7:12PM.

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2. 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.

Ms. Erin Callahan presented item two. This is a request for change in zoning – this was heard by the Planning & Zoning on January 6, 2021. It was recommended for approval. The address for the property is 259 Jensen Dr. SW to be zone 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. This is District 3. Split parcel down the middle to create a residential parcel. Application is being represented by Ms. Stephanie Williams. Planning & Zoning has recommended approval. Councilman Munoz asked if there was a business on this property. Erin replied no. Mayor asked if any other Council had any comments – there was none. Ms. Williams said this has been a rental property – want to put in conformance with other properties. Mayor Griego asked if there was any comments from the public –there were none, Mayor Griego asked to close public hearing process and reconvene as Council.

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 Munoz – yes ;)** **FOR AND 0 AGAINST.** 6:23PM