

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, APRIL 22, 2021**

The Board of Trustees of the Village of Los Lunas, County of Valencia, and State of New Mexico met virtually Thursday, April 22, 2021 in regular session at 6:00 PM. 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. ORDINANCE 276-2021-3 – 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. APPEAL OF THE DECISION OF THE PLANNING AND ZONING COMMISSION.**
 - 3. BID AWARD – WELL #3, REPLACEMENT PHASE II.**
 - 4. APPROVAL OF MINUTES:**
 - a) Minutes from April 8, 2021 Council Meeting.**
 - b) Minutes from March 27, 2021, Council Retreat.**
 - 5. 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 Councilman Christopher Ortiz to lead the Council and WebEx participants in the Pledge of Allegiance.

- **APPROVAL OF AGENDA.**

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 Ortiz
SECONDED: Councilman Jaramillo
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. ORDINANCE 276-2021-3 – 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 from Council to adjourn and open in a public meeting.

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 Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.** Adjourn at 6:03PM

Mayor Griego asked for a motion from Council regarding ordinance 276-2021-3.

APPROVAL: Motion to approve ordinance 276-2021-3 with recommendations from Planning & Zoning and recommendations from Community Development staff.
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.

2. APPEAL OF THE DECISION OF THE PLANNING AND ZONING COMMISSION.

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 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.** Adjourn at 6:18PM

Mayor Griego asked for a motion from Council.

APPROVAL: Motion to approve and adopt recommendations of staff and approve the preliminary plat of Sierra Vista contingent on the following conditions: 1) berm is lowered to the max depth brought by engineers; 2) property wall be installed on tract E; and 3) buffer fits with the proper drainage, proper vegetation as well as irrigation and all done by the first council meeting in September and if not met, that a hearing be set for that meeting, September 9th. Continue with the dust measures on the plats as well.
MOVED: Councilman Ortiz
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. BID AWARD – WELL #3, REPLACEMENT PHASE II.

Mr. Michael Jaramillo presented item three. There were five (5) bids were received for Well #3 replacement, Phase II Project. Project is to construct a new arsenic treatment facilities and water tank #3 rehabilitation. RMCI, Inc. came in at \$4,411,647.00 – Engineers estimate for project is \$4,559,055.50. 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 low bid from RMCI, Inc. for \$4,411,647.
MOVED: Councilman Munoz
SECONDED: Councilman Jaramillo
CARRIED: Motion passed on a vote of **4 (Councilman Romero – yes; Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.**

4. MINUTES.

Mayor Griego asked if there were corrections to the council minutes of April 8, 2021 Council Meeting and the minutes of March 27, 2021 Council Retreat– there were none.

MOTION: Motion to approve.
MOVED: Councilman Ortiz
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. ADJOURNMENT.

Council meeting adjourned at 8:16PM.

Gregory D. Martin, Village Administrator

Charles Griego, Mayo

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, APRIL 22, 2021**

1. ORDINANCE 276-2021-3 – 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 attendees who wish to give testimony on this item to please enter their name in the chat box and they would be called upon when it was time. Ms. Erin Callahan presented item one. Item 21-1-R 6 Edeal Rd. SE Special Use Amendment – the applicant, Arch + Plan Land Use Consultants, acting agent for Virginia Otero, has applied for a special use amendment to rezone from MH to SU the property located in Subd: Land of Ed McCarty tract: C2Z2B (1.37AC) and tract C2B1 (0.73 AC) total 2.10 acres map 72 with a street address of 6 Edeal Rd. SE for the purpose of allowing a mobile home park. This item was heard before the Planning & Zoning Commission on April 7, 2021 and recommended for approval. This is an existing mobile home park – wanting to bring park in to compliance. Development review committee received one complaint from Veronica Chavez. Community Development Department does recommend approval of the zone change. Mayor Griego asked Council if there were any questions – there were none. Mayor Griego asked the public if there were any questions – there were none. Mr. Derrick Archuleta commented that his client would work with Village staff to bring in to compliance. There were no questions from Council. 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 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.** Closed at 6:06PM

2. APPEAL OF THE DECISION OF THE PLANNING AND ZONING COMMISSION.

Mayor Griego mentioned again, that if there was anyone who wanted to speak in favor or against this item to please enter his or her name in the chat box. Ms. Erin Callahan presented item two. This item is an appeal of a preliminary plat of Vista Manzano at Sierra Vista – Planning & Zoning made their determination on March 17th and the appeal was submitted on March 23rd. The legal description of this area are Subd: Sierra Vista Tract: E S: 24 T: 7N R: 1E 13.50 Acres Plat M-425, Subd: Sierra Vista Tract: F S: 23 T: 7N R: 1E 53.70 Acres Plat M-425, and Subd: Sierra Vista Tract: G S: 23 T: 7N R: 1E 60.10 Acres Plat M-425 with a proposed subdivision name of Vista Manzano at Sierra Vista. The appeal is being represented by Isaacson & Arfman, Inc who is the acting agent for Sierra Vista Los Lunas LLC. The entire area is in the special use zone for Sierra Vista. This is in council district 1 – Councilman Christopher Ortiz represents this area. In a FEMA, flood hazard zone. Currently vacant but zoned for residential. There is widely opposition of this appeal – Jubilee residents has stated there are health concerns, soil stabilization, and property damage. Residents have requested a stop order until there is restoration of the buffer area, correction to the elevation to the buffer area, extension of the buffer to 150 ft., payment for damages and better handling of the blowing sand. A substantial portion of the review for preliminary plat application is performed by Village engineers on the grading and drainage infrastructure plan and other reports such as geo-technical reports. The approval of preliminary plat does not allow a developer to proceed immediately with their grading and infrastructure development if those plans have not been approved/recommended for approval by our engineers. Staff met to discuss preliminary plat application – at the time staff noted to developer that they needed to coordinate with Parks and Recreation Department in regards to the community park. A substantial portion of the review for preliminary plat applications is performed by Village engineers on the grading and drainage infrastructure plans and other geo-technical reports. With this particular application, the remaining comments regarding engineering are very minor and relate to things like pond fencing and they would not impact the proposed subdivision boundaries when addressed. There has been soil conditions in this area. We believe the development of a compliant subdivision, one that meets our zoning standards for the lot sizes as well as our engineering standards for infrastructure grading and drainage – that sort of compliant subdivision is the best and final tool to stabilize the soil. The Community Development Department does recommend approval of the Vista Manzano preliminary plat based on the conformance with the Los Lunas municipal code and comprehensive plan. Erin said she was available to answer any questions as well as Michael Jaramillo, Public Works Director; Kevin Eades, Village Engineer, and Larry Guggino, Village attorney. Mayor Griego commented on a memorandum that he received from Erin that there were some conditions that she would like to impose as to phasing of improvements in the area. Erin noted that the biggest concern on tract E, the buffer adjacent to Jubilee there have been a number of concerns – the height of the berm and the drainage channel. Community Development has been working with the developer for several months to create and opportunity for the to bring the tract and buffer before a public hearing process so that they can obtain final grading and drainage review. Erin suggested that once the grading and drainage plans which will establish the finished grade of the buffer that is across from Jubilee as well as the landscaping plan for the buffer that is adjacent to Jubilee, once those plans have been approved she would suggest that a condition imposed upon this item maybe that in one week of approval of these plans, all necessary contractors are secured and works has begun to create the drainage channel in the buffer, regrade the buffer to its finished grade and landscape the buffer. Councilman Jaramillo asked what is the time frame. Erin replied once they receive the letter from Molzen-Corbin, and the developer has secured a contactor (typically takes a month), they can move forward. Councilman Ortiz had questions for Michael Jaramillo – he questioned where the sewer lines would tie in. Michael replied that there are two main lines (one on NM6 and the other on Sundance); there is a 10-inch on NM6 and an 8-inch on Red River. A majority will be going through the 10-inch line on NM6. Manzano Vista will be transferred to an 8 inch off Red River. Mr. Kevin Eades of Molzen-Corbin confirmed that there is enough capacity for those homes. Regarding the berm, the elevation can be dropped from 13 ft. to 17 ft. When they looked at the height of the berm, they looked at the utilities, they looked at the proposed plan and we determined between 13 to 17 ft. Councilman Ortiz asked about the drainage on the buffer, could it be on concrete. Mr. Eades shared his screen with everyone. Swale needs to be developed as soon as possible with positive drainage towards the northeast – make sure flows drain to pond as intended. Fred Arkman continued with his presentation.

Health and safety measures – Sierra Vista dust mitigation – the developer has contracted with E2RC, an environmental consulting agency to develop and implement a site-specific dust control plan for the entire Sierra Vista project. The dust control measures consist of 5-6 water trucks on site to control airborne dust, 2 foot high fencing, additional 4 foot high wind fencing and rock pile. Continue construction of walls and place tactifier on ground. Councilman Jaramillo asked if the buffer areas were going to be brought down any further. Mr. Arkman replied that they would be lowered.

Spoke in favor: Stan Strickman, Brian McCarthy, Chris Hakes, Mackenzie Bishop

Spoke against: David Darling, Pia Louchios, Chris Yates, David Shorr, John O’Connell

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 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. Closed at 8:14PM