

**MINUTES  
VILLAGE OF LOS LUNAS  
THURSDAY, MAY 6, 2021**

The Board of Trustees of the Village of Los Lunas, County of Valencia, and State of New Mexico met virtually Thursday, May 8, 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 was excused. Meeting was conducted in person and recorded through Webex.com.

<b>Mayor:</b>	Charles Griego
<b>Mayor Pro Tem:</b>	Christopher Ortiz
<b>Council:</b>	Gino Romero, excused 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. **CONSIDERATION OF RESOLUTION 21-09 SUPPLEMENTING ORDINANCE 416 AND AMENDING RESOLUTION 16-26 RELATING TO AN ECONOMIC DEVELOPMENT PROJECT TO SUPPORT THE OPERATION OF A DATA CENTER CAMPUS BY GREATER KUDU LLC; APPROVING AN AMENDMENT TO THE PROJECT PARTICIPATION AGREEMENT BETWEEN GREATER KUDU LLC AND THE VILLAGE; AMENDING THE TERM OF THE APPROPRIATION OF LOCAL TAX REVENUES TO THE ECONOMIC DEVELOPMENT PROJECT; RATIFYING CERTAIN ACTIONS TAKEN PREVIOUSLY; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS ORDINANCE.**
  2. **ORDINANCE 276-2021- 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.**
  3. **DESIGNATED USE – 111 LUJAN RD. SE.**
  4. **RESOLUTION 21-08 – ACCEPTANCE AND APPROVAL OF FY 2020 AUDIT.**
  5. **CONTRACTS – REQUEST PERMISSION TO ENTER IN TO CONTRACT WITH INSTRUCTORS.**
  6. **EXECUTIVE SESSION:**
    - a) Hire FT Public Works Technician – Water/Sewer Division / Public Works Department.
    - b) Hire FT Firefighter/EMT's – Fire Department.
    - c) Hire FT Police Officer – Police Department.
    - d) Offer made by Taxation and Revenue Department to resolve the lawsuit of City of Albuquerque et. al. v. New Mexico Department of Taxation and Revenue ("TRD").
  7. **APPROVAL OF MINUTES:**
    - a) Minutes from April 22, 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 Police Chief Naithan Gurule to lead the Council and WebEx participants in the Pledge of Allegiance. Mayor Griego announced that this was the first council meeting in the Council Chambers for over a year due to the COVID.`

- **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.

<b>APPROVAL:</b>	Motion to approve council agenda.
<b>MOVED:</b>	Councilman Munoz
<b>SECONDED:</b>	Councilman Jaramillo
<b>CARRIED:</b>	Motion passed on a vote of <b>3 (Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.</b>

- **PUBLIC INPUT FORUM.**

Mayor Griego asked if there was anyone who wanted to speak to the Council regarding an item that was not on the agenda. There was no response – no one spoke.

1. **CONSIDERATION OF RESOLUTION 21-09 SUPPLEMENTING ORDINANCE 416 AND AMENDING RESOLUTION 16-26 RELATING TO AN ECONOMIC DEVELOPMENT PROJECT TO SUPPORT THE OPERATION OF A DATA CENTER CAMPUS BY GREATER KUDU LLC; APPROVING AN AMENDMENT TO THE PROJECT PARTICIPATION AGREEMENT BETWEEN GREATER KUDU LLC AND THE VILLAGE; AMENDING THE TERM OF THE APPROPRIATION OF LOCAL TAX REVENUES TO THE ECONOMIC DEVELOPMENT PROJECT; RATIFYING CERTAIN ACTIONS TAKEN PREVIOUSLY; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS ORDINANCE.**

Ms. Jill Sweeney presented item one. In 2016, the Council adopted a resolution providing for local economic development act or LEDA support for the operation of the Greater KUDU LLC Data Center Campus. The resolution before you amends the term of the appropriation for local GRT revenues to the project. There are two parts of the project; one is the State portion, which is approximately \$10 million dollars grant to the project for certain public infrastructure (Well 7 and Westside Interceptor). There was also a local portion also intended to set aside GRT in increments generated by activity on the site for infrastructure. What this resolution does continues the State LEDA as it was originally contemplated and terminates the Local LEDA. Jill asked if there were any questions. Councilman Jaramillo replied that the Local LEDA was created by ordinance and not by resolution – are we doing away with the Local LEDA with resolution. Jill replied that the PPA could be amended by resolution. The ordinance will stay in place, the PPA will stay in place but the PPA will be amended to leave the State in place but allow the local revenue go through the regular process as opposed to going through LEDA. Jill commented that the ordinance could be amended by resolution and Larry Guggino replied that was correct – he was searching for the wording in the ordinance. Mayor Griego commented that we need to amend the PPA by resolution and what Councilman Jaramillo is saying that we need to amend by ordinance to make if proper and clear. Mayor Griego asked Councilman Ortiz if he had any comments – he had none. Mayor Griego asked for a motion from Council regarding resolution 21-09.

**APPROVAL:** Motion to approve resolution 21-09 as presented.  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.** Minutes on last page.

***2. ORDINANCE 276-2021-4 – 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 Munoz  
**SECONDED:** Councilman Jaramillo  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.** Adjourn at 6:30PM

Mayor Griego asked for a motion from Council.

**APPROVAL:** Motion to approve ordinance 276-2021-4.  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.** Minutes on last page.

***3. DESIGNATED USE – 111 LUJAN RD. SE.***

Mayor Griego asked for a motion from Council.

**APPROVAL:** Motion to approve designated use.  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.**

***4. RESOLUTION 21-08 – ACCEPTANCE AND APPROVAL OF FY 2020 AUDIT.***

Ms., Rebekah Klein presented item four. Pursuant to section 2.2.2.10.M (4) of 2.2.2. NMAC Audit Rule 2020 Requirements for Contracting and

Conducting Audits of Agencies the Fiscal Year 2020 Financial Statements must be presented in a quorum of the governing body at a public meeting for approval in accordance with the Open Meetings Act. Mr. Chris Garner gave power point presentation. There were no findings. Council thanked all the staff for their outstanding work. Mayor Griego asked for a motion from Council.

**APPROVAL:** Motion to approve resolution 21-08.  
**MOVED:** Councilman Munoz  
**SECONDED:** Councilman Jaramillo  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – yes) FOR AND 0 AGAINST.**

**5. CONTRACTS – REQUEST PERMISSION TO ENTER IN TO CONTRACT WITH INSTRUCTORS.**

Mr. Jason Duran presented item five. Jason was seeking permission to enter in to contract with individuals as league officials for recreation volleyball and dance/aerobics instructors. Mayor Griego asked if there were any questions – there were none. All four applicants were approved together.

Mayor Griego asked for a motion from Council.

**APPROVAL:** Motion to approve the contracts for Marissa Montoya, Kortni Sena, Gabriella Baca, and Felena Gabaldon.  
**MOVED:** Councilman Ortiz  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Jaramillo – yes; Councilman Munoz – 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: hire FT Public Works Technician, FT Firefighter/EMT's, FT Police Officer, and discuss officer made by Taxation and Revenue Department to resolve the lawsuit of City of Albuquerque et. al. v. New Mexico Department of Taxation and Revenue (TRD).

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Ortiz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.** 6:55PM

At 7:45PM, Mayor Griego asked for a motion from Council indicating that they discussed a request to hire FT Public Works Technician, FT Firefighter/EMT's, FT Police Officer, and discuss officer made by Taxation and Revenue Department to resolve the lawsuit of City of Albuquerque et. al. v. New Mexico Department of Taxation and Revenue (TRD).

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

Regarding the matter of the lawsuit – Taxation and Revenue Department, there was nothing to report out.

Regarding the FT Public Works Technician, Mayor Griego recommended Mr. Isaac Romero.

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Munoz  
**SECONDED:** Councilman Jaramillo  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

Regarding the hiring of three FT Firefighter/EMT's, Mayor Griego recommended Amy Abeita.

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Munoz  
**SECONDED:** Councilman Jaramillo  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

Regarding the Firefighter/EMT's, Mayor Griego recommended Brandon Guillen.

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Ortiz  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

Regarding the Firefighter/EMT's, Mayor Griego recommended Miguel Najar.

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

Regarding the Police Officer, Mayor Griego recommended Mr. Marcos Salcido.

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Munoz  
**CARRIED:** Motion passed on a vote of **3 (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 April 22, 2021 Council Meeting – there were none.

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

Mayor Griego asked if there were corrections to the Workshop/Special Meeting of April 15, 2021 – there were none.

**APPROVAL:** Motion to approve  
**MOVED:** Councilman Jaramillo  
**SECONDED:** Councilman Ortiz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.**

***8. ADJOURNMENT.***

Council meeting adjourned at 7:48PM.

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Gregory D. Martin, Village Administrator

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Charles Griego, Mayo

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**2. ORDINANCE 276-2021-4 – 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.**

**3. DESIGNATED USE – 111 LUJAN RD. SE.**

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 two and three together. This is a request for a conditional zone change and for a designated use for 111 Lujan Rd. SE. Item was heard by the Planning & Zoning Commission on April 21, 2021 and recommended for approval. Applicant's names are Nick Sarap and Michael Sarap. Use is for an indoor storage facility/garage. There were no letters or phone calls received in opposition of this request. This is located in District 4/Councilman Jaramillo. Staff requested an interior floor plan and more information on the proposed use as well as safety and security measures. Applicant did provide all requested information and staff felt questions were resolved. Community Development Department recommends approval of zone change and designated use. Erin asked if there were any questions. Mayor Griego asked if there were any comments from the public. Erin replied no. Nick Sarap commented that the facility would be used for vehicle storage – mostly for enlisted service members that are deployed. Mayor Griego asked if there was anyone from the public who wanted to speak for or against the proposed ordinance and designated use – there were none. 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 Munoz  
**CARRIED:** Motion passed on a vote of **3 (Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Jaramillo – yes) FOR AND 0 AGAINST.** Closed at 6:39PM