

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, JULY 6, 2023**

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

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

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

1. **ORDINANCE 276-2023-02 – AN ORDINANCE PERMITTING A ZONE CHANGE OF A DESIGNATED AREA WITHIN THE MUNICIPALITY OF LOS LUNAS, COUNTY OF VALENCIA, STATE OF NEW MEXICO.**
 2. **ORDINANCE 276-2023-01 – AN ORDINANCE PERMITTING A ZONE CHANGE OF A DESIGNATED AREA WITHIN THE MUNICIPALITY OF LOS LUNAS, COUNTY OF VALENCIA, STATE OF NEW MEXICO.**
 3. **DESIGNATED USE PERMIT FOR 7 ROBERTS CIRCLE NE.**
 4. **DESTRUCTION OF RECORDS – COMMUNITY DEVELOPMENT DEPARTMENT.**
 5. **RESOLUTION 23-12 – ADOPTING THE FY 2024 MPA FUNDING AGREEMENT.**
 6. **MEMORANDUM OF AGREEMENT (MOA) – LOS LUNAS SCHOOL DISTRICT REFUSE REMOVAL.**
 7. **SOUTH LOS LENTES ROAD AND TRAIL IMPROVEMENTS A301350.**
 8. **DESTRUCTION OF RECORDS – HUMAN RESOURCES DIVISION.**
 9. **EXECUTIVE SESSION.**
 - a) **Hire FT Buildings and Grounds Superintendent – Facility Maintenance Division / Parks and Recreation Department.**
 10. **APPROVAL OF MINUTES:**
 - a) **Minutes from June 22, 2023, Council Meeting.**
 11. **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 Erin Callahan to lead the Council and TEAMS participants in the Pledge of Allegiance.

- **APPROVAL OF AGENDA.**

Mayor Griego asked for a motion from Council. Motion to approve.

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

Mayor Griego announced that Councilman Munoz would be arriving shortly.

- **PUBLIC INPUT FORUM.**

None.

1. ORDINANCE 276-2023-02 – AN ORDINANCE PERMITTING A ZONE CHANGE OF DESIGNATED AREA WITHIN THE MUNICIPALITY OF LOS LUNAS, COUNTY OF VALENCIA, STATE OF NEW MEXICO.

Mayor Griego asked for a motion from Council to recess and go into a public 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 Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.** 6:01PM / Debra sworn in participants.

Mayor Griego asked for a motion from Council.

APPROVAL: motion to approve and adopt findings of Planning & Zoning and approve zone change to S-U
MOVED: Councilman Romero
SECONDED: Councilman Runyon
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.**

2. ORDINANCE 276-2023-01 – AN ORDINANCE PERMITTING A ZONE CHANGE OF A DESIGNATED AREA WITHIN THE MUNICIPALITY OF LOS LUNAS, COUNTY OF VALENCIA, STATE OF NEW MEXICO.

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3. DESIGNATED USE PERMIT FOR 7 ROBERTS CIRCLE NE.

Mayor Griego asked for a motion from Council to recess and go into a public 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 Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.** 6:23PM / Debra sworn in participants for items two and three.

Items two and three will be heard together.

Mayor Griego asked for a recommendation from Council regarding items two and three.

APPROVAL: motion to table items two and three until Molzen-Corbin can give an actual traffic study – need to determine if materially endangering people in the area. Tabled until next meeting, July 20, 2023.
MOVED: Councilman Runyon
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.**

4. DESTRUCTION OF RECORDS – COMMUNITY DEVELOPMENT DEPARTMENT.

Ms. Erin Callahan presented item four. Going through many different documents and a large volume of old business registrations that are obsolete and ready for destruction. There are also old planning items and IPRA requests that are due for destruction. Everything meets the records destruction guidelines and will work with Debra and the Solid Waste Department to set up arrangements for destruction.

Mayor Griego asked for a motion from Council.

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

5. RESOLUTION 23-12 – ADOPTING THE FY 2024 MAP FUNDING AGREEMENT.

Mr. Michael Jaramillo presented item five. The Village did receive some funds from DOT for improvements to NM 6 and NM 263. Quick overview - scope of the work is intended to improve the roadway condition of NM 263, including asphalt replacement, storm water collection, and pedestrian mobility and neighborhood access conditions. The Village is required to match a percentage of 25% of the total cost of the project. Fund award was for \$169,600.00. Mayor Griego asked for a recommendation from Council.

APPROVAL: motion to approve resolution 23-12
MOVED: Councilman Ortiz
SECONDED: Councilman Romero
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.**

6. MEMORANDUM OF AGREEMENT (MOA) – LOS LUNAS SCHOOL DISTRICT REFUSE REMOVAL.

Mr. Michael Jaramillo presented item six. The Los Lunas School District would like to continue with refuse removal from the Los Lunas school sites. The MOA will run for one year. There were no changes within the refuse services and there were no increases to the new MOA. There haven't been any increases in about four years. Councilman Romero asked if there had been any discussion about food waste and composting. Michael replied, yes there has been and he had hoped that this would be the year that it would get started. The composting facility is not complete, but once it is complete, he's hoping to continue talk with the schools. Mayor Griego asked for a recommendation from Council.

APPROVAL: motion to approve resolution 23-12
MOVED: Councilman Runyon
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.**

7. SOUTH LOS LENTES ROAD AND TRAIL IMPROVEMENTS A301350.

Mr. Michael Jaramillo presented item seven. We're asking for approval of the lowest responsive bid for the South Los Lentes Road and Trail improvements project. This project starts at Aspen and goes to Morris Road – this would raise the road which is slightly elevated. Also improve the road with curb and gutter, sidewalk and trail system which is on the ditch side. Also, improve some of the accesses, on the ditch side, to properties. Bid came in a little higher, so Michael had to move some funds around. We received some federal monies as well as some local match. Councilman Ortiz asked what the projected start date was. Michael replied, 60 days and the duration of the project will be about six months. Mayor Griego asked for a recommendation from Council.

APPROVAL: motion to approve low bid – Desert Fox, Inc. for \$2,308,018.00
MOVED: Councilman Runyon
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.**

8. DESTRUCTION OF RECORDS – HUMAN RESOURCES DIVISION.

Mr. Marcos Castillo presented item eight. Seeking approval for destruction of obsolete records for summer youth and summer recreation starting 2005 through 2019. These records met our records retention requirements and ready to be destroyed. 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 – Desert Fox, Inc. for
MOVED: Councilman Runyon
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.**

9. 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 of a Buildings and Grounds Superintendent.

APPROVAL: Motion to adjourn into executive session
MOVED: Councilman Runyon
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST. 8:06PM**

At 8:37PM, Mayor Griego asked for a motion reconvene from Council indicating that they discussed the hiring of a Buildings and Grounds Superintendent.

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

Regarding FT Buildings and Grounds Superintendent position – Mayor Griego put up the name of Diego Luna.

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

10. MINUTES.

Mayor Griego asked if there were corrections to the council minutes of the June 22, 2023, Council Meeting – there were none.

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 Runyon - yes) FOR AND 0 AGAINST.**

11. ADJOURNMENT.

Council meeting adjourned at 8:38PM.

Marcos Castillo, Human Resources Manager

Charles Griego, Mayor

**MINUTES
VILLAGE OF LOS LUNAS
THURSDAY, JULY 6, 2023**

1. ORDINANCE 276-2023-02 – AN ORDINANCE PERMITTING A ZONE CHANGE OF DESIGNATED AREA WITHIN THE MUNICIPALITY OF LOS LUNAS, COUNTY OF VALENCIA, STATE OF NEW MEXICO.

Ms. Erin Callahan presented item one. This is a zone change request. Erin explained the application process and how they screen the request. Applicant names – Frank Chavez and Kathy Fresquez-Chavez. Property located at 328 Main Street NW. Planning & Zoning hearing was held on June 21, 2023. The applicant is requesting a zone change from C-1 to S-U for all parcels in order to expand the existing urgent care facility. The proposed use is a Urgent Care Medical Facility. This is located in Council District 2 – Councilman Gino Romero. Notice of public hearing was published in the Valencia News Bulletin on June 1, 2023. The Community Development Department has received 0 calls or letters in opposition of the request. Staff reviewed and found this to be compliant with both the Municipal Code and the Comprehensive Plan. The Development Review Committee did meet and did note that some development items that would need to be taken in to account at the actual time of development. The ordinance treats medical facilities over 10,000 sq feet differently than those under 10,000 sq feet. Under 10,000 sq feet is allowed under the C-1 zone. However, the expansion will take them over the 10,000 sq foot threshold which is why they are applying for a S-U. The Community Development would request a condition that if the zone change is approved, that they submit a summary plat to combine those plats. Erin asked if there were any questions. Councilman Ortiz asked if a traffic study was needed. Erin explained that she could not answer that – there will be a DOT requirement that the traffic be looked at – but she did not know what DOT will require for the traffic study. Councilman Ortiz asked about setbacks. Erin replied that there were no set back requirements except within residential zones. Mayor Griego asked the rest of the Council if they had any further questions – there were none. Mayor Griego asked if he applicant had anything they wanted to add. Mr. John Kirkpatrick, Architect/Agent, and Mr. Frank Chavez, Co-Owner, approached the podium. Mayor Griego commented on the question from Councilman Ortiz regarding the setback on that corner. Mr. Kirkpatrick replied that they will need to get drainage eventually. Per the Village requirements, we will be submitting a grading and drainage plan. Most of the parking in the back will be for staff and the thirty spaces in front will serve the clientele. Mr. Chavez explained that combining the two facilities increases the quality of care. Mayor Griego announced that this is a public hearing subject to public comment – is there anyone who wanted to speak for or against the proposed zone change – there was none. Mayor Griego asked for a motion to close public hearing and reconvene as a council.

APPROVAL: Motion to close public hearing

MOVED: Councilman Ortiz

SECONDED: Councilman Runyon

CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.** 6:22PM

2. ORDINANCE 276-2023-01 – AN ORDINANCE PERMITTING A ZONE CHANGE OF A DESIGNATED AREA WITHIN THE MUNICIPALITY OF LOS LUNAS, COUNTY OF VALENCIA, STATE OF NEW MEXICO.

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3. DESIGNATED USE PERMIT FOR 7 ROBERTS CIRCLE NE.

Ms. Erin Callahan recommended that items two and three were related and asked that she present them together. Property owners are Angel and Berenise Cabrera. They are requesting a zone change and designated use permit. The applicant is seeking a zone change from R-1 to C-1 and a designated use permit to allow for the development of an 8-unit apartment complex. Per the site plan, the apartments are two story, two bedroom, and approximately 1,000 square feet. The proposed use is multi-family attached housing. Property address is 7 Roberts Circle NE. The Planning & Zoning Commission heard this item on June 21, 2023 – they recommended denial due to the testimony that was submitted regarding public safety related to traffic concerns. This property is located in council district 4 – Councilman James Runyon. Notice of public hearing was published in the Valencia County News Bulletin on June 1, 2023. Certified mail was sent out to residents living within 100 Ft of proposed zone change. The Community Development Department has received 0 calls or letters in favor and one (1) in person statement and five (5) letters in opposition of the request. One petition opposing the zone change was received. Those that signed included persons outside the 100 ft. buffer for the zone change and other who did not include an address. The Development Review committee met regarding the application on May 25, 2023. Public Works noted that pedestrian connectivity from the complex to the sidewalk is required. Mayor Griego asked Council if they had any questions. Councilman Runyon asked why Planning & Zoning denied request. Erin responded, listening through the public hearing to the items that were submitted in opposition of the request they believed that there was enough to support a finding that there would be a public safety concern regarding the traffic. Councilman Runyon asked about the Planning & Zoning Commission – what are they here to help us with. Erin replied that they serve in an advisory capacity. It is not a requirement, in our ordinance, that the Council adopts the findings of the Planning & Zoning Commission. They are only in the capacity to make a recommendation and do not have the authority to make a decision. Councilman Ortiz asked if the traffic in the area is an everyday issue – has anyone gone out to look. Erin replied that the traffic in the area seems to be from other businesses, predominately from Dion's. Councilman Romero asked if this met the municipal code and the comprehensive plan. Erin replied yes, it meets the goals of the municipal code and comprehensive plan. Mayor Griego asked if the applicant would like to speak. Mr. John Kirkpatrick, Architect/Agent, approached the podium – we understand that the traffic is an issue. We have met all the requirements for parking. The traffic situation is an issue but not something they created themselves. There will be 18 parking spaces available for tenants, as required. Comment made about there being more vehicles than spaces – husband/wife, and possible teenager. Mr. Angel Cabrera commented about the Planning & Zoning meeting about their concern with traffic safety and it's understandable.

2 & 3 continued:

Mr. Cabrera continued to promote his project – encourage investors to look to the east side of the river and build. Mayor Griego asked if anyone had any more questions for Mr. Cabrera. Councilman Romero asked if there had been any comment on emergency response. Mr. Kirkpatrick replied that staff had reviewed it and also commented that they have an emergency exit on the north side. Mayor Griego asked if there was anyone else who wanted to speak in favor of the project – there was none. Mayor Griego then asked if there was anyone who wanted to speak against the project. Ms. Carolyn Smith approached the podium – she is against the project. She does not want to see any more traffic in that area. She does not want to share her fence with the people from the proposed apartment. She calls to complain about the parties that take place in the empty lot. Concerned about the element of people that will be moving in along with trash issues.

Mr. John Casias and Ron Casias also spoke against the project. Expressed his concern about someone looking off the second floor of their apartment and watching the comings and goings of everyone around. They do not want that kind of environment. He also feels that there will be four to six vehicles especially for parties.

Mayor Griego announced that they would be going in to an executive session to discuss their fact finding with the Village Attorney, Larry Guggino.

APPROVAL: Motion to go into an executive session
MOVED: Councilman Runyon
SECONDED: Councilman Munoz
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.** 7:15PM

APPROVAL: Motion to reconvene
MOVED: Councilman Ortiz
SECONDED: Councilman Romero
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.** 7:51PM

Mayor Griego asked for a motion to close the public hearing and reconvene back into Council.

APPROVAL: Motion to close public hearing
MOVED: Councilman Ortiz
SECONDED: Councilman Runyon
CARRIED: Motion passed on a vote of **4 (Councilman Romero- yes; Councilman Ortiz – yes; Councilman Munoz – yes; Councilman Runyon - yes) FOR AND 0 AGAINST.** 6:22PM