

VILLAGE OF LOS LUNAS
REGULAR COUNCIL MEETING AGENDA
THURSDAY, MAY 6, 2021 - 6:00 PM
COUNCIL CHAMBERS - 660 MAIN STREET
LOS LUNAS, NM 87031

ATTENTION:

In an effort curb the spread of COVID-19 by practicing social distancing and limiting public gatherings, we encourage you to participate in the council meeting from the comfort and safety of your own home by entering or clicking on the following link:
<https://www.loslunasnm.gov/meeting>

**PLEASE TURN OFF OR MUTE ALL ELECTRONIC DEVICES DURING MEETING
YOUR COOPERATION IS APPRECIATED**

- CALL MEETING TO ORDER.
- PLEDGE OF ALLEGIANCE.
- APPROVAL OF AGENDA.
- PUBLIC INPUT FORUM.

JILL SWEENEY

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.

TAB 1.

ACTION REQUESTED OF COUNCIL:

Approve or disapprove.

BACKGROUND AND RATIONALE:

Greater Kudu LLC (the "Company") applied for and requested the Village to provide it with certain economic assistance in connection with the establishment of a data center campus, related facilities and other potential similar projects (the "Project"). In connection with the Project, the Village and the Company entered into a Project Participation Agreement dated October 4, 2016 (the "PPA"), providing for both the use of State and local LEDA funds for the acquisition, construction and installation of certain public infrastructure improvements related to the Project. Subsequent to entering into the PPA, the Company has determined not to seek reimbursement for the costs of certain public infrastructure improvements. The Village and the Company have also, subsequent to entering into the PPA, identified certain other public infrastructure improvements contemplated in the PPA that are not required for the Project and certain additional public infrastructure improvements not contemplated in the PPA that are required for the Project. The Village and the Company have concluded that it is desirable for the Village, rather than the Company, to enter into the construction and other related contracts for the acquisition, construction and installation of the public infrastructure improvements. The Village and the Company also believe it is appropriate to end the administrative formalities associated with the contribution of local LEDA funds for the Project. The Village and the Company desire to enter into a First Amendment to the PPA to reflect the above-described changes.

ERIN CALLAHAN

2. 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.

TAB 2.

ACTION REQUESTED OF COUNCIL:

PUBLIC HEARING. Approve or disapprove.

BACKGROUND AND RATIONALE:

Nick Sarap and Michael Sarap have applied for a conditional zone change from C-1 to C-2 for the property located in Tract 77A3B1 S: 26 T:7N R: 2E 0.50 Acre Map 72 2003 Rev, with a street address of 111 Lujan Rd SE, for the purpose of allowing a storage facility with an approved designated use permit.

ERIN CALLAHAN

3. DESIGNATED USE - 111 LUJAN RD SE.

TAB 3.

ACTION REQUESTED OF COUNCIL:

PUBLIC HEARING. Approve or disapprove.

BACKGROUND AND RATIONALE:

Nick Sarap and Michael Sarap have applied for a Designated Use Permit for the property located in Tract 77A3B1 S:26 T: 7N R: 2E 0.50 Acre Map 72 2003 Rev, with a street address of 111 Lujan Rd SE, for the purpose of allowing a storage facility.

REBEKAH KLEIN

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

ACTION REQUESTED OF COUNCIL:

Approve or disapprove.

BACKGROUND AND RATIONALE:

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 to a quorum of the agency’s governing authority at a public meeting for approval in accordance with the Open Meetings Act.

JASON DURAN

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

ACTION REQUESTED OF COUNCIL:

Approve or disapprove.

BACKGROUND AND RATIONALE:

Request permission to enter into contract with individuals as league official for our Recreation Volleyball League and Dance/Aerobics Instructors.

6. EXECUTIVE SESSION – pursuant to NMSA 1978 Section 10-15-1(H), the following matters may be discussed in closed session:

TAB

6.

- 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”).

TAB

7. APPROVAL OF MINUTES.
7.

- a)** Minutes from April 22, 2021, Council Meeting.
- b)** Minutes from April 15, 2021, Workshop/Special Meeting.

8. ADJOURNMENT.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Deputy Clerk five (5) days prior to council meeting at 839-3840.