

**VILLAGE OF LOS RANCHOS DE ALBUQUERQUE  
BOARD OF TRUSTEES REGULAR MEETING  
Warren J. Gray Chambers  
6718 Rio Grande Blvd. NW, Los Ranchos, NM 87107  
Streamed on [www.losranchosnm.gov](http://www.losranchosnm.gov) and Zoom Video Conferencing  
Wednesday, January 17, 2024; 7:00 p.m.**

**Present:**

Joe Craig, Mayor  
Gilbert Benavides, Trustee  
Jennifer Kueffer, Trustee  
George Radnovich, Trustee  
Frank Reinow, Trustee

Joshua O'Halloran, Acting Administrator  
Danielle Sedillo-Molina, Clerk  
Tammy Silva, Chief Financial Officer  
Maida Rubin, P & Z Director  
Will Fisher, Treasurer  
Bill Chappell, Village Attorney

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Prior to the meeting Mayor Craig stated:

*If you wish to speak or comment on certain items on the agenda, you should sign up prior to this meeting, sign-up sheets at the entrance. This will be your last opportunity to sign up, we will then pick up the sign-up sheets and only those individuals who have signed up will be allowed to speak.*

**1. CALL TO ORDER**

**Mayor Craig called the meeting to order at 7:00 p.m.**

Mayor Craig announced: This meeting is streamed on the Village website, the public can also participate via Zoom, instructions and overall public participation guidance for commenting is listed on the website and on page five of the meeting packet. The Village of Los Ranchos is providing the ability for the public to participate in hybrid meetings, as with any application, digital service, or software, the opportunity for failure can occur, therefore, the Village is not responsible for the inability to connect to the meeting, either by the Zoom meeting link or viewing via livestream. The meeting video and audio is recorded and will be available online after the meeting on the Village website.

**2. ROLL CALL**

**Trustee Benavides-present  
Trustee Radnovich-present  
Trustee Kueffer-present  
Trustee Reinow-present**

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF THE AGENDA**

**Mayor Craig asked to approve or amend the agenda.**

**MOVED:** Trustee Kueffer  
**SECONDED:** Trustee Benavides

**ROLL CALL VOTE:** Trustee Benavides-Yes  
Trustee Radnovich-Yes  
Trustee Kueffer-Yes  
Trustee Reinow-Yes  
**CARRIED:** Motion Passed 4-0

**5. ORGANIZATIONAL MEETING OF THE GOVERNING BODY**

A. Discussion and Approval of Resolution 2024-01-01; Establishing the Governing Body Meetings and Public Notice Requirements as Required by The New Mexico Open Meetings Act; NMSA 1978, Chapter 10, Article 15.

Clerk Sedillo-Molina expressed that the resolution is to be adopted annually as a requirement of the public body in compliance with the Open Meetings Act.

**Mayor Craig asked to approve Resolution 2024-01-01 regarding the Open Meetings Act.**

**MOVED:** Trustee Radnovich  
**SECONDED:** Trustee Reinow

Discussion:

There was discussion among the BOT regarding the meeting time, for the allowance of more time to review the BOT meeting agenda packet material.

Trustee Kueffer stated that she would like to amend Resolution 2024-01-01 to have meetings conducted on the third (3<sup>rd</sup>) Tuesday of each month at six (6) P.M.

**NEW MOTION:** Trustee Radnovich made a motion to approve Resolution 2024-01-01 with the updated information as requested by Trustee Kueffer.  
**SECONDED:** Trustee Kueffer

**ROLL CALL VOTE:** Trustee Benavides-Yes  
Trustee Radnovich-Yes  
Trustee Kueffer-Yes  
Trustee Reinow-Yes  
**CARRIED:** Motion Passed 4-0

B. Pursuant To §3-12-3 (1) NMSA 1978; The Governing Body of a Municipality shall elect one of its members to act as Mayor Pro Tem in the absence of the Mayor; nomination and approval.

Trustee Radnovich inquired whether a Mayor Pro Tem may be appointed on an annual basis, as it would be a beneficial experience for each Trustee.

Clerk Sedillo-Molina responded that she recommends the appointment to take place during the Organizational Meeting, every two (2) years in conjunction with the Regular Election, she further stated that if it were on an annual basis, that it may not allow the Mayor Pro Tem to adjust into the role and thus gain the experience sufficiently in that time.

**MOVED:** Trustee Kueffer nominated Trustee Reinow for the appointment of Mayor Pro Tem.

**SECONDED:** Trustee Radnovich

**ROLL CALL VOTE:** Trustee Benavides-Yes  
Trustee Radnovich-Yes  
Trustee Kueffer-Yes  
Trustee Reinow-Yes

**CARRIED:** Motion Passed 4-0

C. Pursuant To §3-11-5 (A) NMSA 1978; The Mayor shall submit for confirmation by the Governing Body, the names of persons who shall fill the Appointive Offices of the Municipality.

- a) Village Treasurer, Will Fisher
- b) Village Clerk, Danielle Sedillo-Molina
- c) Village Planning and Zoning Director, Maida Rubin
- d) Village Administrator, Vacant

**Mayor Craig asked to approve for confirmation by the Governing Body, the names of persons who shall fill the Appointive Offices of the Municipality.**

**MOVED:** Trustee Benavides

**SECONDED:** Trustee Reinow

**ROLL CALL VOTE:** Trustee Benavides-Yes  
Trustee Radnovich-Yes  
Trustee Kueffer-Yes  
Trustee Reinow-Yes

**CARRIED:** Motion Passed 4-0

Discussion:

There was discussion regarding the hiring process for the Village Administrator.

Clerk Sedillo-Molina confirmed that it would be advertised per customary practice, though that the Mayor had the liberty to appoint an individual pursuant to §3-11-5 (A) NMSA 1978. Mayor approved the job description, and it is ready to post for advertisement.

D. Pursuant To §3-11-5 (A) NMSA1978; The Mayor shall submit for confirmation by the Governing Body the names of persons who shall be employed by the Municipality.

- a) Derrick Aldridge, Maintenance Worker II
- b) Sabrina Apodaca, Administrative Assistant, Agri-Nature Center
- c) Michelle Austin, Administrative Assistant, Planning & Zoning Dept.
- d) Maxine Baca, Court Clerk, (PT)
- e) Ramona Carrillo, Maintenance Worker I
- f) Mark Garcia, Maintenance Worker II
- g) Keen Heinzelman, Facilities Maintenance Manager
- h) Amelia Hinojos, Receptionist/Assistant to the Mayor and Administrator
- i) Eric McClune, Maintenance Worker I
- j) Joshua O'Halloran, Agricultural Program Manager
- k) Thomas Sanchez, Code Enforcement Officer (PT)
- l) Tammy Silva, Chief Financial Officer
- m) Dominic Tomba, Animal Control/Animal Husbandry Program Manager

**Mayor Craig asked for a motion for approval for confirmation by the Governing Body the names of persons who shall be employed by the Municipality.**

<b><u>MOTION:</u></b>	<b>Trustee Radnovich</b>
<b><u>SECONDED:</u></b>	<b>Trustee Benavides</b>

<b><u>ROLL CALL VOTE:</u></b>	<b>Trustee Benavides-Yes</b>
	<b>Trustee Radnovich -Yes</b>
	<b>Trustee Kueffer -Yes</b>
	<b>Trustee Reinow - Yes</b>
<b><u>CARRIED:</u></b>	<b>Motion Passed 4-0</b>

Discussion:

Mayor Craig stated that all staff were excellent and worked very hard to assist him during the transition and hoped all would remain with the Village.

E. Discussion and Approval: In accordance with the Village of Los Ranchos 2013 Codified Ordinances Chapter 9; §9.2.2 Planning and Zoning Commission. (A) MEMBERSHIP: The Commission shall consist of seven (7) members who shall be appointed by the Mayor with the advice and consent of the members of the Governing Body.

Planning & Zoning Commissioners for calendar year 2024 (January-December):

- a) Gwenn Baldwin\*\*
  - b) Connie Barrow \*\*
  - c) John Edward \*\*
  - d) Mary Homan\*\*
  - e) Dru Tagliapietra
- (\*\* Current Commissioner)

**Mayor Craig asked for a motion for approval of the commissioners.**

**MOTION: Trustee Benavides to add Shelleen Smith and Bob Martinez**

**SECONDED: Trustee Radnovich**

Discussion:

Trustee Reinow thanked Dru Tagliapietra for her willingness to serve.

There was some discussion about how appointments should be made.

Attorney Chappell stated that it was the responsibility of the Mayor to make the appointment of the remaining vacancies and that the names should be published on the agenda in effort of transparency.

**Trustee Benavides withdrew his motion.**

Trustee Radnovich expressed concern about the technical experience of a nominee.

Trustee Benavides also expressed concern for the current appointees that they made need time to be better acquainted with their duties.

Trustee Reinow agreed that there should be clear representation of the Planning and Zoning Commissioners that have experience serving as such, and also stated that members of the public should be allowed the opportunity to serve even though they may not have the technical background.

**MOTION: Trustee Kueffer**

**SECONDED: Trustee Reinow**

**ROLL CALL VOTE:**           Trustee Benavides-No  
Trustee Radnovich -Yes  
Trustee Kueffer -Yes  
Trustee Reinow - Yes  
**CARRIED:**                   Motion Passed 3-1

**6. GENERAL PUBLIC COMMENT**

General public comment will be taken on items NOT listed on the agenda; speakers will be allowed three (3) minutes. No action can occur on these items.

Camille Varoz, 420 El Paraiso Road NW  
Not present

Robert Chavez, 324 Enchanted Valley NW  
Stated he represented the Citizen's Advisory Committee, which was formed from a petition signed by residents and formed in early 2023. He stated CAC is currently reviewing the pilot conservation 284 ordinance. Mr. Chavez emphasized the importance of community representation and urges the board to consider the residents' concerns.

Margaret Bell, 1004 Salamanca Road NW  
Expressed that the VC zone is a crucial ordinance and is concerned for the lack of moratorium which made the community vulnerable to further high-density developments.

Theresa Rael, 1005 El Alhambra Circle NW  
Introduced herself as the Homeowner's Association President and was also concerned about the lack of moratorium on VC zone. Ms. Rael further suggested hiring an event planner.

Ray Cvetic, 319 Nuevo Hacienda Lane NW  
He echoed similar concerns as the public comments made before him and urged that the Board of Trustees make stronger efforts to maintain Los Ranchos as a rural community.

Gordene MacKenzie, 7315 Guadalupe Trail NW  
Would like more community representation within the Planning and Zoning Commission meetings due to the impact on residents. Would like more discussions in both Board of Trustees and Planning and Zoning Commission meetings to continue the discussions regarding the moratorium.

Nancy Nangeroni, 7315 Guadalupe Trail NW  
Referred to her previous comments in the December 18th meeting regarding a lawsuit related to the Open Meetings Act. She clarified that there were

inaccuracies in her previous statements.

Loretta Chavez Smith, 536 Chavez Road NW

Requested a moratorium on VC zoning and also raised issues related to traffic and safety around Los Ranchos School. She emphasized the need for action to protect children and improve traffic conditions.

Mel Eaves, 721 Chavez Road NW

Stated that he believes there have been significant violations of law, as outlined in objections, appeals, and lawsuits filed by residents and organizations.

Marcia Smiley, 623 El Paraiso Road NW

Urged the Board of Trustees to uphold the moratorium on construction, especially on 4th St., until the consequences of past decisions, such as traffic patterns, are thoroughly examined.

**7. APPROVAL OF MINUTES**

- A. Minutes; December 13, 2023; Regular Meeting
- B. Minutes; December 18, 2023; Special Meeting

**Mayor Craig asked for a motion to approve the minutes.**

**MOVED: Trustee Kueffer**  
**SECONDED: Trustee Radnovich**

Trustee Benavides and Trustee Radnovich both recommended corrections to the December 13, 2023, minutes.

**ROLL CALL VOTE:** Trustee Benavides-Yes  
Trustee Radnovich -Yes  
Trustee Kueffer -Yes  
Trustee Reinow - Yes  
**CARRIED:** Motion Passed 4-0

**8. DEPARTMENTAL REPORTS**

- a. Administrator's Report
- b. Agri-Nature Center Manager's Report
- c. Planning and Zoning Director's Report
- d. Project Manager's Report
- e. Public Safety Report

**9. FINANCIAL BUSINESS**

- A. Discussion and Approval of the December 2023 Cash Report.

**Mayor Craig called for a recess at 8:50pm  
Mayor Craig resumed the meeting at 8:56pm**

Treasurer Fisher presented the Cash Report for the month ending December 31, 2023.

Ending cash balance on December 31, 2023, is \$12,111,963.74 which is an increase of \$315,496.98 for this month. YTD deficiency of revenues over expenditures is \$(109,096.85).

**Unusual or Significant Items**

The Village paid Bohannon Huston \$86,996.02, check #3410 for 4th Street Phase 2 professional services through 12/1/23.

The Village paid Chalmers Ford \$45,617.00, check #3370 for the purchase of a new maintenance truck.

The Village paid Deere & Company \$22,945.50, checks #3374 and 3414 for a new side-by-side for the ag center to replace stole gator and the purchase of 3 tractor implements for maintenance use.

The Village paid Franken Construction \$68,338.68, checks #3352 and 3417 for work on Ag center outdoor classroom.

The Village paid Parametrix \$10,598.45, check# 3423 for VLR Transportation study and Chavez multiuse trail professional services through 10/28/23.

The Village paid Stelzner, Winter, Warburton, \$17,145.65, check # 3429, for general counsel services for November 2023.

The Village had three (3) payroll periods in December, this resulted in higher-than-normal payroll, PERA, VOYA, 941 and CRS-1 tax expenses.

Chief Financial Officer Tammy Silva addressed the Board of Trustees regarding the proposed changes to the monthly Cash Report, to allow for the BOT packet to be prepared sooner for more lead time for review, and to standardize as similarly presented in other municipalities. CFO Silva also stated that there would be a proposed cutoff date and the check register would be presented for approval. The current cash report would not be in the packet but rather made available at month end.

**Mayor Craig asked for a motion to approve the December 2023 Cash Report.**

**MOVED:**

**Trustee Benavides**



**SECONDED:**

**Trustee Radnovich**

Discussion:

Trustee Benavides stated that he appreciated being able to review the gross receipts tax revenue and inquired if that would also be provided at month end. CFO Silva responded in the affirmative.

Trustee Benavides also inquired regarding the forecasted figures.

CFO Silva stated that she could get further clarification from the State Tax and Revenue Department.

Trustee Radnovich inquired about the purchase of a second truck.

CFO Silva responded that a farm truck (previous was a maintenance truck) was budgeted for last year but was received in the current fiscal year.

Trustee Radnovich requested clarification as to why financing sources read as losses.

CFO Silva explained that losses illustrated are transfers in and out between the different funds, for example a negative number out of the General Fund to the respective fund where it then becomes positive, and vice versa.

Trustee Kueffer mentioned that she spent time with CFO Silva to become more acquainted with the reports which she stated was quite helpful and concluded with an exchange regarding the GRT reporting.

Mayor Craig also suggested that the public also have access to the financial reports.

Clerk Sedillo-Molina stated that the timeliness of the packet with the new date of the meetings may not affect any changes to the current cash report.

Trustee Radnovich queried about the ability to track project funding.

CFO Silva responded that she maintained various tracking reports such as for grants and legislative appropriations or anything that applies to the audits, though all information could be provided should it be requested.

**ROLL CALL VOTE:**

**Trustee Benavides -Yes  
Trustee Radnovich -Yes  
Trustee Kueffer-Yes  
Trustee Reinow-Yes**

**CARRIED: Motion Passed 4-0**

B. Discussion and Approval of Resolution No. 2024-01-02; A Resolution Approving a Budget Adjustment (Bar); Recommending budget revisions related to the Fire Protection fund (209) for the Village of Los Ranchos de Albuquerque.

CFO Silva proposed a budget adjustment which aims to increase both the revenue and expenditure sides by \$125,790.00, due to the county receiving a structural distribution grant from the state. The initial Fire Protection fund allocation for the year has already been received, though the county applied for structural needs. CFO Silva concluded the proposed the Bar would ensure compliance with budget restrictions and state statutes, preventing any over expending the fund.

**Mayor Craig asked for a motion to approve Resolution No. 2024-01-02.**

**MOVED: Trustee Benavides**  
**SECONDED: Trustee Reinow**

**ROLL CALL VOTE: Trustee Benavides -Yes**  
**Trustee Radnovich -Yes**  
**Trustee Kueffer-Yes**  
**Trustee Reinow-Yes**

**CARRIED: Motion Passed 4-0**

**10. PUBLIC HEARING**

A. LL 23-04 A request by The Ivy, LLC, dba The Ivy Tea Room, 3537 Plano Vista Rd. NE, Rio Rancho, NM, 87114, for a Restaurant Beer & Wine License with on-premises consumption with patio service. The business is located at 8830 4th St. NW, Los Ranchos de Albuquerque, NM, in the C-1 Zone of the Fourth Street Character Area, and is legally known as Lot A, The Magical Tea Land, Being a Replat of Tract 102A1, MRGCD Map No. 24, in projected Section 16, Township 11 North, Range 3 East, N.M.P.M., Town of Alameda Grant, Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, as recorded in the Office of the Bernalillo County Clerk on November 8, 2019. The property contains 0.5356 acres more or less.

Mayor Craig requested the Trustees state if there was any conflict of interest regarding the item or any ex parte communication.

**COI/EX PARTE DISCLOSURE: Trustee Benavides -No**  
**Trustee Radnovich -No**  
**Trustee Kueffer-No**  
**Trustee Reinow-No**

**Mayor Craig-No**

Attorney Chappell swore in the members of the public in attendance who wished to address the governing body.

Planning and Zoning Director Rubin presented the application for LL 23-04.

Ms. Andrea Gonzales (applicant) addressed the Board of Trustees and stated that she was to become the new owner of The Ivy Tea Room, there was some discussion regarding a commercial kitchen, music and parking.

**Mayor Craig asked for a motion to approve LL 23-04.**

**MOVED:** Trustee Reinow  
**SECONDED:** Trustee Benavides

**ROLL CALL VOTE:** Trustee Benavides -Yes  
Trustee Radnovich -Yes  
Trustee Kueffer-Yes  
Trustee Reinow-Yes  
**CARRIED:** Motion Passed 4-0

**11. NEW BUSINESS**

A. Discussion and Approval of Resolution No. 2024-01-03; A Resolution to Designate a Village Representative to Communicate to and with the Village's Legal Counsel the Village of Los Ranchos de Albuquerque's position and direction on outstanding and potential litigation.

Attorney Chappell recounted his tenure from 2006 to 2019 and his return after resigning. He expressed that he was aware of the current litigation issues and to address concerns impartiality, he decided it would be best to implement conditions in his agreement, which include avoiding direct involvement in certain litigations. Attorney Chappell advised against handling any village litigation to maintain objectivity and suggested the adoption of independent counsel and a board member for communication in a resolution. He further acknowledged the potential of rescinding the resolution and emphasizes the importance of retaining some of the intent. Attorney Chappell provided language for the resolution and emphasized the requirement for competent legal counsel while preventing any aspersions on the current firm. He further continued that he felt that the individual acting on behalf of the Village should be more objective and that he advocated that the resolution should also address compliance of the Governmental Conduct Act in respect to conflict of interest.

Attorney Chappell further addressed what he considered a flaw in the resolution, which pertains to the Board of Trustees attempting to restrict the statutory duties

of the executive branch, which is considered a separation of powers issue. He stresses the preservation of independent counsel to maintain an impartial relationship between the board and legal counsel. Attorney Chappell stated that the objective is to eliminate conflicts and address potential perceptions of conflicts and to avoid prolonged litigation.

**Mayor Craig asked for a motion to approve Resolution No. 2024-01-03.**

**MOVED: Trustee Kueffer**  
**SECONDED: Trustee Reinow**

Discussion:

Trustee Benavides suggested that he and Trustee Reinow be able to both serve in the capacity as stated in the resolution and referenced his letter provided in the packet which he stated was a recommendation of what he felt would be least costly to the Village and requested that the maker of the motion consider his position also.

Attorney Chappell responded that he did not feel the court should have to intervene and his interpretation of Trustee Benavides' letter, which he wanted to avoid further Trustee Benavides' inability to vote or perceived lack of objectivity on the matters as they become presented.

Trustee Benavides addressed a letter from Attorney Beck, which he felt was biased.

Attorney Chappell responded that he felt that it was from the perspective of his position and preferred to maintain an unbiased position. He also recommended perhaps a litigation committee and further stated he could not predict the proceedings.

Trustee Radnovich stated that he was of the belief that there should be some sort of commission to discuss the matters.

Trustee Kueffer stated that she was of the opinion to take Attorney Chappell's recommendation.

Trustee Reinow agreed that independent legal counsel should be utilized and that he too would like to reduce the costs to the Village.

Trustee Radnovich stated that he would like to defer the resolution as he would like to see a commission formed.

Trustee Kueffer inquired if the Board of Trustees were to serve on the committee

formed, if it would prohibit their ability to vote.

Attorney Chappell responded that all should be considered with much confidentiality and that a logical step would be to move to mediation.

**ROLL CALL VOTE:**            **Trustee Benavides -No**  
   **Trustee Radnovich -No**  
   **Trustee Kueffer-Yes**  
   **Trustee Reinow-Yes**  
**TIE BREAK:**                 **Mayor Craig - Yes**  
**CARRIED:**                   **Motion Passed 3-2**

**12. TRUSTEE INFORMAL DISCUSSION**

Roundtable discussion is informal; the Board of Trustees will take no official vote or other official action.

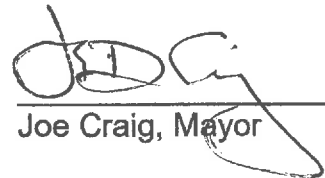
- **Trustee Benavides** stated that he heard the public comments regarding the moratorium well and agreed with the idea of an event planner.
- **Trustee Kueffer** appreciated all the public comments as well and welcomed everyone to reach out to her and is excited to serve the community.
- **Mayor Craig** stated it was an honor to serve as well and was open to also hearing from everyone. Agreed the VC zone item would need to be placed on an upcoming agenda.
- **Trustee Reinow** stated his concerns regarded the development and wanted to be proactive in maintaining the environment the community loves.
- **Trustee Radnovich** also agreed that the moratorium needed to be heard, and wanted communication to be improved with the public, would like to limit the fee of any on-call firms, and appreciated the new direction of The Vision magazine.

**13. ADJOURNMENT**

**Motion to Adjourn-Trustee Benavides**  
**Second-Trustee Kueffer**  
**Motion passed unanimously**  
**Mayor Craig adjourned the meeting at 10:35 p.m.**

**PASSED AND APPROVED** by the Board of trustees of the Village of Los Ranchos de Albuquerque on this 20<sup>th</sup> day of February 2024.



  
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Joe Craig, Mayor

  
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Danielle Sedillo-Molina, Clerk