

# MINUTES

VILLAGE OF LOS RANCHOS de ALBUQUERQUE  
6718 RIO GRANDE BOULEVARD N.W.  
BOARD OF TRUSTEES REGULAR MEETING  
**September 13, 2006 - 7:00 P.M.**

**Present:**

Larry P. Abraham, Mayor

Mary Homan, Trustee  
Tim McDonough, Trustee  
Pablo R. Rael, Trustee

Annabelle Silvas, Clerk  
Juan Vigil, Administrator  
Terry Nighbert, P&Z Director  
Nancy Haines, Treasurer  
Sherry Tippet, Attorney  
Juan Cordova, Acting Fire Marshal

**Excused:**

Donald T. Lopez, Trustee/Mayor Pro-Tem

Tape 1-Side 1-Index 000

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Village of Los Ranchos' Governing Body held its Regular Meeting on Wednesday, September 13, 2006 in the Warren J. Gray Hall. The Mayor called the meeting to order at 7:00 p.m.

**A. APPROVAL OF AGENDA**

**Mayor Abraham** noted that Hil Davidson submitted a letter requesting that Item 6.B. be deferred indefinitely.

**MOTION:** Trustee Homan moved approval of the amended agenda deferring 6.B. Trustee McDonough seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**B. *Chy'a Johnstone – Rodeo Queen for State Fair***

**Chy'a Johnstone** presented her candidacy speech.

Tape 1-Side 1-Index 030

**2. PUBLIC COMMENT PERIOD**

**Leo Bartolucci**, 6612 Las Casitas Court, NW, said he met with Cordelia Sanchez, Alfredo Garcia and Arnold Sargeant to try to start a Los Ranchos Historical Committee to compile everything they have within and outside the Village to start a museum. He said they were thinking of using a portion of the new barn as the location. He said there are not too many people left who are in their 80's. He said they are asking for the Board's support to form the Committee and start gathering information from all the older people. He said they would like to commence this project within the next few weeks.

**Betty Tichich**, 6724 Edgewood Drive, NW, said she is representing the East Los Ranchos Neighborhood Improvement Association. She said on September 5, she called Dick Rowles, Project Manager with Star Paving, and asked him why the telephone poles are directly in the middle of the sidewalk on the east side of 4<sup>th</sup> Street. She also remarked that the concrete bump-outs next to the poles seemed too abrupt and she felt there was a danger to persons in wheelchairs or pushing strollers. She said Mr. Rowles told her he was aware of it, but he only took orders from the Village and its engineer, the Larkin Group. She said she then called Dave Owsley, Project Engineer, and he said he was not aware of it but would check on it. She said she spoke with him later and he agreed there was a problem. She said she also spoke with Juan Vigil about submitting an item for the current Board Agenda and he informed her that he did not know how a citizen would be able to submit an item for action by the Board. She said the Association would like the Village to have the power poles placed behind the sidewalks and if that is not possible they would like the bump-outs redone and assurance that the current ADA guidelines are met.

**Laurie Hause**, 6636 Edgewood Dr., said she was there to present a resolution on Hartnett Park on behalf of the East Los Ranchos Neighborhood Improvement Association of which she is a member. She read the resolution which stated that 1) a committee consisting of citizens of the Village should be appointed to advise the Board on the management of Hartnett Park and the surrounding property; 2) a moratorium on further development in Hartnett Park and the surrounding Village property; and 3) the moratorium should include the construction or modification of any structure on Village property.

**Mayor Abraham** asked how many people had voted on the resolution.

**Laurie Hause** responded that the Mayor would have to ask the President of the Association because she was not in attendance at the meeting.

**Mayor Abraham** asked if it was at a regularly scheduled Neighborhood Association meeting.

**Laurie Hause** responded that it was done at a Board of Directors meeting.

Tape 1-Side 1-Index #169

**3. CONSENT AGENDA**

**A. MINUTES – REGULAR MEETING –AUGUST 9, 2006**

There were no additions or corrections to the Minutes.

**B. DEPARTMENT AND COMMITTEE REPORTS**

- 1. LAW ENFORCEMENT/BCSD**
- 2. FIRE**
- 3. ANIMAL CONTROL**

**C. APPROVAL OF NMDOT SECOND AMENDMENT TO THE THIRD SUPPLEMENTAL COOPERATIVE PROJECT AGREEMENT ADDING \$902,000 PLUS VILLAGE MATCH OF \$153,712 FOR THE 4<sup>TH</sup>/OSUNA PROJECT**

**D. APPROVAL OF NMDOT MAP COOPERATIVE AGREEMENT FOR EL PUEBLO ROAD OF \$158,625 AND VILLAGE MATCH OF \$52,875**

**MOTION:** Trustee Rael moved approval of the Consent Agenda. Trustee Homan seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

Tape 1-Side 1-Index #178

**4. REPORTS**

**A. MAYOR'S REPORT**

**Mayor Abraham** reported that:

- He continues to represent the Village on the Governor's Task Force on Eminent Domain. They meet almost every Thursday for about 3 hours. There are 20 officials from other cities on the Task Force. On September 28 at 4 p.m., a meeting will be held at Village Hall. This meeting is for the public to comment on Eminent Domain. The recommendations from the Task Force are due to the Governor by November 1, 2006.
- The Mayors' Caucus was hosted by the Village of Los Ranchos at Casa Rondeña Winery on September 6. It was very well attended by the Mayors, Pueblo Governors and the new Kirtland AFB Commander. They all enjoyed themselves.

**B. ADMINISTRATOR'S REPORT**

**Administrator Vigil** reported that:

- We have received certification from the New Mexico Department of Finance, Local Government Division, for our fiscal year budget and we are now operating under a certified budget.
- He and Mayor Abraham met with staff from the San Juan Chama Project and the planting has begun on that area between 4<sup>th</sup> Street and Rio Grande Blvd. There will be about 114 different trees planted including Cottonwoods, Desert Willows and Cyprus and a 10 foot wide trail will be put in afterward. The landscape people will be responsible for maintaining and ensuring the health of the plants for one year.
- The Caballero Norte project paving has been delayed due to the rain. They are considering doing the paving sometime during the week of September 25.
- The final inspection of the Area K Project will take place next Monday and Tuesday. He will participate in that with the engineer, the construction staff and the City of Albuquerque. One of the issues is that residents who were anxious to hook up to the system are being told that the project is still not certified. Another issue is that the pump station at Montaña is experiencing subsidence and the City is currently in litigation with the contractor for the pump station to determine a remedy.
- A public meeting on Areas I & J was held on August 17 and was very well attended. As a result, they are compiling a "frequently asked questions" that will be published in the October issue of the *Village Vision* and will provide residents with information on the project's timeline, boundaries, funding, and what the County's role is on the project.

**Trustee McDonough** asked if the City is suggesting that residents cannot hook up until the litigation is completed on the pump station.

**Administrator Vigil** responded that he does not have a clear answer on that. He said he called the Executive Director for the Water Authority with that question but has not received a response.

### C. PLANNER'S REPORT

**Planner Nighbert** reported that:

- The Department prepared and sent to Santa Fe the 2008-2012 Infrastructure Capital Improvements Plan for the Village.
- They have also completed a windshield survey for the Planning & Zoning Commission for the proposed moratorium on 2-story houses in the Guadalupe Character Area and presented that to the Commission. There is an item on this evening's agenda to discuss that moratorium.
- The 4<sup>th</sup> Street Project is in its 29<sup>th</sup> week of construction and is currently at 75% of time expended and the job superintendent is still projecting the project will be mostly complete by Balloon Fiesta. The addition of 28 days on Change Order #3 will affect the west side of Mullen, El Paraiso, Camino Español as well as Willow Road. The project has been delayed by 14 days lost to rain storms over the past months but they have made up the work on Saturdays.
- Change Order #3 is on the agenda to provide for additional drainage to areas of the City and County as well as the Village as part of the AMAFCA requirements for a more regional drainage system. They have coordinated other parts of the project with the City including water service meters for roadway landscaping and the Taft School recreation field
- The barn construction is progressing and the exterior stucco coat should be applied in the next few weeks along with the final roofing. There is some site grading to be done immediately around the barn as well as site cleanup. The project should hopefully be done by the end of September.
- Planning & Zoning is working with the Fire Department in preparation of the 2003 International Fire Code adopting resolution to be presented to the Board before the end of year.

**Trustee McDonough** commented that given the weather over the past few months, he believes Star Paving has done a wonderful job of maintaining the construction site and traffic flow and he also complimented Village administration.

### D. LEGAL REPORT

**Mayor Abraham** reported that Attorney Tippet was arriving from out of town and her plane apparently was delayed.

### E. FIRE DEPT. REPORT

**Acting Fire Marshal Cordova** reported that:

- They attended gas line emergency training and two firefighters went to AFD and attended a two-week driving course.

- The volunteers participated in a First Aid Station on Labor Day weekend for the marathon run.
- The fire hydrant painting is about 45% complete. Hydrant painting continues on Rio Grande, Chavez, El Pueblo, Los Poblanos Orchards and they are starting on Tinnin Farms.
- They are still exploring ways to purchase a rescue vehicle because the unit is going in for repairs almost weekly. The ladder truck should be back sometime next week and then the engine will go in for some structural damage repair.
- He has recently been appointed as the Acting Fire Marshal.
- There were 52 EMS calls for the month and 9 fire calls for August.

Tape 1-Side 1-Index #305

**5. FINANCIAL BUSINESS**

**A. CASH REPORT –AUGUST**

**Treasurer Haines** reported that the ending cash balance for August 31 was \$2,861,353. She said for the month of August, revenues exceeded expenditures by \$454,298 and therefore the year-to-date revenues over expenditures were \$222,456. She said about 70% of the increase in cash was due to the reimbursement of construction costs from both prior and current months.

**MOTION:** Trustee Homan moved approval of the Cash Report. Trustee McDonough seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**6. PUBLIC HEARINGS AND APPLICATIONS**

Tape 1-Side 1-Index #321

**A. A REQUEST BY THERESA EASLEY FOR SITE DEVELOPMENT PLAN FOR STORAGE FACILITIES IN THE C-1 ZONE. THE PROPERTY IS LOCATED AT 8320 4<sup>TH</sup> ST. NW AND LEGALLY KNOWN AS LOT NUMBERED ONE (1) OF THE ENGLEBRECHT SUBDIVISION, A SUBDIVISION OF A TRACT OF LAND IN LOS RANCHOS DE ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE MAP OF SAID SUBDIVISION, FILED IN THE OFFICE OF THE COUNTY CLERK OF THE BERNALILLO COUNTY, NEW MEXICO, OCTOBER 30, 1941. THIS PARCEL CONTAINS APPROXIMATELY .3977 OF AN ACRE. THIS ITEM WILL BE DEFERRED TO THE OCTOBER 11, 2006 PUBLIC HEARING.**

**MOTION:** Trustee Rael moved to defer this item until the October 11, 2006 hearing. Trustee Homan seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

Tape 1-Side 1-Index #326

**B. AN APPEAL OF PLANNING AND ZONING COMMISSION DECISION ON JUNE 13, 2006 TO DENY A VARIANCE FOR AN EIGHT FEET, SIX INCH (8'6") SOLID LATILLA FENCE ON EAST AND WEST (FRONT) PROPERTY LINES AND A SEVEN FOOT, SIX INCH (7'6") SOLID LATILLA FENCE ON**

**NORTH AND SOUTH PROPERTY SIDE LOT LINES EXTENDING TO THE FRONT PROPERTY LINE WHERE SIX (6) FEET FOR SIDE LOT LINE IS REQUIRED AND FOUR (4) FEET IN THE FRONT TWENTY FIVE (25) FOOT SETBACK IN THE A-1 ZONE, V-06-10, AGENDA ITEM A, BY HIL DAVIDSON. THE PROPERTY IS LOCATED AT 6512 RIO GRANDE NW AND IS LEGALLY KNOWN AS A CERTAIN TRACT OF LAND SITUATED IN LOS RANCHOS DE ALBUQUERQUE, WITHIN THE ELENA GALLEGOS GRANT, SECTION 29, T11N, R3E, N.M.P.M., BERNALILLO COUNTY, NEW MEXICO AND BEING TRACT 35-B-1-A OF M.R.G.C.D. MAP # 29. THE PARCEL CONTAINS 1.4487 ACRES, MORE OR LESS. THIS ITEM WAS DEFERRED FROM THE JULY 12, 2006 PUBLIC HEARING.**

**MOTION:** Trustee McDonough moved to defer Item 6.B. indefinitely. Trustee Homan seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 1-Side 1-Index #321**

**C. AN APPEAL BY JAN GIBSON OF PLANNING & ZONING COMMISSION CONDITIONS OF APPROVAL FOR A PRELIMINARY PLAT FOR A MAJOR SUBDIVISION (3 LOT) IN THE A-1 ZONE ON AUGUST 8, 2006, ITEM 5 G. THE PROPERTY IS LOCATED AT 7530 RIO GRANDE BLVD. NW AND IS LEGALLY KNOWN AS A PARCEL OF LAND COMPRISED OF TRACTS 117A AND 7B OF THE M.R.G.C.D. MAP NO. 27, WITHIN SECTION 20, T11N, R3E, THE VILLAGE OF LOS RANCHOS, THE COUNTY OF BERNALILLO, NEW MEXICO. THE PARCEL CONTAINS 4.279 ACRES MORE OR LESS.**

*Clerk Silvas swore in those who wished to speak on this item.*

**Planner Nighbert** read Planning Report No. PZ-06-74. He said this preliminary plat was brought before the Planning Commission and they imposed certain conditions. The applicant did not agree with some of the conditions. Planner Nighbert read the Planning & Zoning Commission's conditions of approval for a preliminary plat of a major subdivision in the A-1 Zone of the Rio Grande Corridor.

**Ross Percal**, Attorney for Jan Gibson, said the conditions were extreme and unprecedented and the applicant believes that the Planning & Zoning Commission overstepped its boundaries and authority with regard to Conditions 1 and 2 which state: "1) Lot No. 1 the eastern lot line shall be moved to the east 100 feet. The eastern lot line of Lot No. 2 to be moved to the east 100 feet. The building pad for Lot Line No. 1 to be located on the eastern third of Lot No. 1, with no restriction on Lot No. 2. 2) The residential building on Lot No. 1 shall be limited to one story, with a height restriction of 17 feet from finished grade, and the building shall face Rio Grande Blvd." He said they would ask the Board not to remand this matter to the Commission, but rather to modify the restrictions based on their proposed compromise and grant approval to the applicant.

**John MacKenzie**, Mark Goodwin & Associates, said he is present on behalf of Jan Gibson who is seeking a preliminary plat approval on Tracts 117A and 117B, which comprise approximately 4.3 acres. He said the location of the property is approximately 3 lots north of Chamisal Road on the east side of Rio Grande. He said the parcel consists of 2 long lots that were combined by the

applicant and the proposal is to re-subdivide them with north/south lot lines. He said by ordinance, there is no “view” corridor requirement for these lots, but by the Commission asking for the house on the front lot to be built within the rear 1/3 of the property, they are imposing a “view” corridor requirement. He said they researched the ordinance and they could not find anything that gave the Commission the ability to do that. He said they are asking the Board to reconsider this imposition and consider that they agreed to move the lot lines on two of the lots back 100 feet resulting in a lot size of 1.3 in the front and 1.0 on Lot 2. He said the Planning Commission asked them to do two things: 1) build the house in the back 1/3 of the property and 2) increase the lot size of that front lot. He said they are asking the Board to override that 1/3 requirement for the house to be built in the back and maintain the 200 feet that lines up with the existing dwellings.

**Tape 1-Side 2-Index #000**

**John MacKenzie** said with respect to Condition #2, the Planning Commission asked for a height restriction and they could not find anything in the ordinance that mandates 17 feet. He said the A-1 zoning allows for the house to be 26 feet tall. He said they are requesting that the Zoning Ordinance be held to with respect to what is right and reasonable in this situation.

**Trustee Rael** asked what the size of the house will be and whether it will be a 2-story.

**John MacKenzie** said they do not have a dwelling size for that lot right now.

**Trustee McDonough** asked if the applicant agreed to the conditions at the Planning & Zoning meeting.

**John MacKenzie** responded that they did not have an opportunity to object because the Planning & Zoning Commission had closed the floor.

**In Favor:**

**Jan Gibson**, owner of the property, said when Planning & Zoning originally imposed a 270 foot setback they thought that was unfair but when they talked to Terry Nighbert they could see where the Village was heading with it and the 200 feet made sense and adds to the vista. However, she said that imposing a condition that they build on the back third of this extended lot line does not make sense. She said they are willing to compromise by giving the vistas, but would request the ability to build on a reasonable area. She said she would also like to emphasize that no one else around them had the restrictions put on them for the 17 foot height and that is not what is in the ordinance. She said she is just asking that they be treated fairly.

**Opposed:**

**John Robb**, 7200 Rio Grande Blvd., said he is there on behalf of the Los Ranchos Neighborhood Association. He said the legal argument that the 25 foot setback means they can build anywhere behind the setback is specious. He said the setback says that the minimum front setback shall be 25 feet; that means you can't go closer, that does not mean that these Trustees do not have the right to put a reasonable amount of setback beyond the 25 feet. He said their interest is in seeing that debates like this do not occur in the future about what is a reasonable amount of setback. He said they have two character areas that are quite explicit with the 280 foot, but nothing north of there. He said whatever the Trustees decide tonight, he would encourage them to take a hard look at whether some setbacks should be established for the area

to the north in order to protect the existing open space. He said they would like to see a study started on setback limitations and height restrictions. He said when you look at the ordinance it states that the maximum height limitation is 26 feet and that means you can't go any higher; however, it doesn't say you can't set a lower limit. He said in summary, he believes they should stay with the 17 foot height restriction.

**Robert Jaramillo**, 504 Golden Meadows in Alameda, but he owns the property at 7514 Rio Grande Blvd., which is just to the south of Jan Gibson's. He said in 2003 he had to fight for a couple variances when he had plans to build a home right next to the Gibson's in front of his parent's home on Rio Grande. He said during that meeting Ms. Gibson had just purchased the property from McWilly and she came forward in the variance meeting and stated that she did not believe his request met the criteria. He said he was requesting a variance because his lot was significantly narrower than most at only 69 feet wide, which was a huge difference from her 170 feet. He said he believes Ms. Gibson had plans all along to subdivide the property. He said he feels the super large homes that shadow his parent's home have sacrificed the reason that people want to live on Rio Grande which is the luxury of having open space and privacy. He said his parents now look at a 16 foot high garage when they walk out of their front door and now Ms. Gibson has plans to build 3 giant homes which will only adversely affect the once private residence that they have there. He said he also feels that it is too bad that people with so much wealth can have so little compassion for the families who have worked so hard for so many years to build their homes. He said he was at the first variance meeting and he believes that Ms. Gibson did agree to having the 17 foot high home in the front and changing the boundaries of her front lot.

**In Summary:**

**John MacKenzie** said with regard to amendments to the Conditions, the third sentence of Condition No. 1 is what they would like to amend. They would like to remove "eastern third" and replace it with "200 foot setback from the centerline of Rio Grande Blvd." He said for Condition No. 2 which covers the limitation of one story and the 17 foot height, they would like to eliminate the condition in its entirety.

*Public Comment closed.*

**Board Discussion**

**Trustee Homan** said as a former Planning & Zoning Commissioner she knows the procedure that is followed when they establish conditions. She said she finds it odd that the applicant was not asked if they agreed to the conditions being placed.

**Planner Nighbert** said the applicant did agree during the discussion portion but then after the Commission closed discussion, they made the motion without asking for agreement.

**Trustee Homan** asked if the 17 foot height restriction on Lot No. 1 was also a condition that they agreed to at the time.

**Planner Nighbert** said that condition was in his original conditions of his report to the Planning Commission and he does not recall whether they objected to the 17 feet at that time.

**Attorney Tippett** said she attended the Planning & Zoning Commission meeting and it was an implicit acceptance, there was no objection.

**Trustee McDonough** said it was suggested that there has been follow-up discussions to find a compromise resulting in the 200 foot setback. He asked Planner Nighbert if that was the intent of the building pad being located on the eastern third of Lot No. 1. He asked if Planner Nighbert was in agreement that that was a reasonable compromise.

**Planner Nighbert** responded that he was in agreement and that Mayor Abraham reminded him in Subsection T of the General Regulations for the 280 foot setback there is a line that states: "For properties north of Areas A and B, the setback shall be 25 feet from the property line or greater depth if indicated on a Zone Map but front setbacks shall not be less than that of a straight line connecting the fronts of the nearest dwellings on each side facing the same street." He said the 200 feet in this case does meet the wording of the ordinance with the moving of the lot line back 100 feet.

**John MacKenzie** said the issue had to do with the lot size which was originally proposed to be one acre. He said the request was for the setback line to be one third. He said there was a setback discussion and also a lot size change discussion. He said it was their intent to have one of them take care of the other. He said the give and take was that they give on the bigger lot size and then have the 1/3 go away but it did not work out that way, unfortunately.

**Trustee McDonough** said the issue of the two story homes is an ongoing discussion and he does not think it is being inconsistent with the actions of the Planning & Zoning Commission or the Board of Trustees to limit the height on these front buildings.

**MOTION:** Trustee McDonough moved to partially deny the appeal and to amend Condition No. 1 to read: "The building pad for Lot Line No. 1 to be located such to maintain a 200 foot setback from the centerline of Rio Grande Blvd.," based on the presentation by the Applicant amending Lot No. 1 depth and size to 1.3 acres. Condition No. 2 is to remain as stated. Trustee Rael seconded the motion.

**Trustee Homan** suggested a friendly amendment to the motion concerning Condition No. 1 to restate that the lot line for Lot No. 2 would also be extended the 100 feet. Trustee McDonough accepted Trustee Homan's friendly amendment.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 1-Side 2-Index #267**

**D. A REQUEST BY ED PASCHICH, AGENT FOR RAY BARTON FOR A PRELIMINARY PLAT FOR A MAJOR SUBDIVISION IN THE A-1 ZONE OF THE NORTH RIO GRANDE CHARACTER AREA. THE PARCEL IS LOCATED AT 6844 RIO GRANDE BLVD. AND IS LEGALLY KNOWN AS A TRACT OF LAND IN SCHOOL DISTRICT NO.4, BERNALILLO COUNTY, NEW MEXICO WITHIN THE ELENA GALLEGOS GRANT DESIGNATED AS TRACTS NO. 187-A AND 198 ON AMENDED MAP NO. 27 OF THE SURVEY OF M.R.G.C.D. FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, MAY 28, 1941. THE PARCEL CONTAINS APPROXIMATELY 6.15 ACRES MORE OR LESS.**

**Planner Nighbert** presented Planning Report No. PZ-06-70 which concerned a request for approval of Preliminary Plat for a major subdivision in the A-1 Zone of the North Rio Grande Character Area by Ed Paschich who is the agent for Ray Barton who is the property owner at 6844 Rio Grande Blvd. He said the proposed subdivision divides two tracks of land (a total of 6.15 acres) into five lots with a gross acreage varying from 1.096 acres to 1.466 acres. He said the Planning & Zoning Commission made 15 recommendations to the Board of Trustees for approval of the Preliminary Plat of a major subdivision. He read the conditions into the record.

*Attorney Tippett swore in those persons who wished to speak on this item.*

**Ed Paschich**, 240 Cieto Azul, Corrales, said he hopes to soon be a resident of Los Ranchos because he plans to build his home in this subdivision. He introduced, Bill Christ, who is his partner on the subdivision and who also plans to build his personal home in the subdivision. He said they agree to all the conditions including the 17 foot height restriction. He said his home will be one of the ones that is limited to 17 feet. He said they are going to install underground irrigation and plant the front 250 feet in alfalfa or grasses.

**Bonnie Kelly**, 6900 Rio Grande Blvd., said they are in the process of restoring an historic home there. She said her parents bought their home at a time when there were 280 foot setbacks and 2 acre zoning with the expectation that these types of restrictions would remain. She said they were buying a quality of life but that has changed. She said she believes the Board needs to address the problem of the very, very large homes. She asked the Board to limit the size of the home in relation to the size of the lot.

**Trustee McDonough** asked Mr. Paschich what his response would be to the floor area ratio.

**Ed Paschich** responded that he is building a 5,000 sq. ft. home. He said they have self-limited the building pads on Lots 4 & 5 in that they have self-imposed a 25 foot setback on one side and 280 foot setback on the Rio Grande side.

**Trustee McDonough** said the water and sewer availability for the last preliminary plat put a limit on the water usage of 180 gallons per day indoor use. He said he didn't see that same limitation on this subdivision.

**Planner Nighbert** said he just received the ABCWUA water availability statement for this project this afternoon and it does have that statement in there. He said how that affects the use of Rio Grande Conservancy District water off the lateral will probably come to a head sometime soon. He said for now they can only use 180 gallons a day, 70% for the inside and 30% for the outside.

**Trustee Homan** asked if that number was for all 5 lots.

**Planner Nighbert** said that is for every new development that is in the ABCWUA authority.

**Mayor Abraham** commented that obviously each lot will have a well.

**Planner Nighbert** said that ABCWUA asserts that the well is under their own jurisdiction, but he said this subdivision is not looking at using well water, it plans to use irrigation water from the Pueblo Lateral. He said they have been discussing the ABCWUA restrictions on water usage for a Village that has a rural way of life. He said the question becomes whether ABCWUA is

going to be controlling the Village's development requirements or zone codes or subdivisions through their regulations for water use.

**MOTION:** Trustee Rael moved approval of the Preliminary Plat for a major subdivision. Trustee Homan seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 1-Side 2-Index #520**

**7. OLD BUSINESS**

**A. DISCUSSION AND APPROVAL TO SUBMIT COMMENTS TO THE NEW MEXICO PUBLIC REGULATION COMMISSION TO CONTINUE AREA CODE 505 IN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE. THIS ITEM WAS DEFERRED FROM THE AUGUST 9, 2006 PUBLIC HEARING**

**Administrator Vigil** reported that at the last meeting he was asked to find out more information about the division of the area codes. He said he has included a map from the Public Regulation Commission (PRC) that shows what the 2-way split would look like in terms of Areas A and B. He said the staff report from the PRC has also been included in the Board packets and the deadline is still pending for an October action at the PRC.

**Trustee Rael** said he feels we should send a letter to the PRC stating that Area Code 505 should be maintained because of cost and problems that could come up later. He said he would be willing to take Area Code 575 rather than do the overlay option which he believes will be a problem in the future. He said he believes having a specific area code for one area or the other is better than the overlay.

**Trustee Homan** said she looks at the impacts on mainly small businesses because they must redo letterhead, business cards, ads in the newspaper and phonebooks, etc., all of which is quite expensive. She said that officially this item has closed at the Commission although the Commissioners themselves have requested that any additional comments that come in would be only used as background information and not part of the official record.

**Trustee McDonough** said he agrees with both of them. He said he believes it should be a 2-way split and he cannot imagine having to dial 10 digits for every phone number and trying to program it into the phones.

**Tape 2-Side 1-Index #000**

**MOTION:** Trustee McDonough moved approval to submit comments to the NM Public Regulation Commission saying that the Board prefers the split with the Albuquerque Metropolitan area maintaining the 505 Area Code due to the high number of businesses and the high cost of change on the small businesses. Trustee Rael seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**8. NEW BUSINESS**

**Tape 2-Side 1-Index #005**

**A. DISCUSSION AND APPROVAL TO ADVERTISE IN SUMMARY AN ORDINANCE AMENDING SECTION 3. RENEWAL TO ORDINANCE NO. 174, BUSINESS REGISTRATION AND LICENSING**

**Planner Nighbert** said the date for renewal of both the Home Occupation Business Registration renewals and Business Registration renewals for Village businesses are set by ordinance. He said the Home Occupation renewals are due on January 1 and the Business Registrations are due March 16. He said they would like to change the due date for Business Registration renewals to be in line with the Home Occupation renewals so they can do them all at the same time.

**Trustee Homan** said her question, on behalf of the business community, was that basically in 2006 we are telling them that although they paid \$35 for 12 months of business registration, they are only going to get 9 ½ months. She asked if they plan to pro-rate it for the business community.

**Planner Nighbert** said they had not thought of that, but perhaps they could ask the Board to give them a 2 ½ month pro-ration in their business registration.

**Trustee McDonough** said respecting that they would be cut short on a year, it would go from \$35.00 to \$28.50. He said he thinks it may cause more confusion than it would do good.

**Trustee Homan** then suggested that since the business community is accustomed to paying on March 16, they could impose the new ordinance that sets everyone for January 1, but keeping in line with the old March 16 and the fact that they are going to be shorted 2 ½ months.

**Mayor Abraham** noted that the Business Directory is going to have a deadline of January 1 this year so they must pay by December 31 to be in the Business Directory.

**Trustee Homan** asked how long it was going to take this time for the Business Directory to be printed. She said it did take a long time to be printed, granting that it was the first time and they had a lot of work to do and it came out a very quality product.

**MOTION:** Trustee McDonough moved approval to advertise the ordinance in summary. Trustee Rael seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 2-Side 1-Index #053**

**B. DISCUSSION OF THE RECOMMENDATION TO THE BOARD OF TRUSTEES FOR A TEXT AMENDMENT TO ORDINANCE 183 TO IMPOSE A MORE RESTRICTIVE FLOOR AREA RATIO FOR ALL A-1 PROPERTY WITHIN THE VILLAGE OF LOS RANCHOS.**

**Mayor Abraham** noted that this item was for discussion only, no motion would be required.

**Trustee Homan** asked if any comments had been received from the public.

**Mayor Abraham** said they did receive a letter from Ms. Kelly urging them to adopt the floor area ratio for the Guadalupe Character Area and the Rio Grande Character Area. He said he would prefer to handle this discussion in a retreat or some type of forum where they can perform some calculations.

**Trustee Homan** said she agrees that they need to pay attention to this because it is a subject that continually comes up and has been stated in many prior meetings about trying to keep the characteristic atmosphere of the Village and trying to preserve the open vistas. She said she believes there needs to be some sort of guideline or restriction on the floor area ratio.

**Trustee Rael** said they need to set aside some time and address this as a single item.

**Trustee Homan** asked if there is any reason that they would need to gather additional public input in the form of an open townhouse meeting or workshop.

**Planner Nighbert** responded that it could be done much like the cell tower issue where they had a special meeting to gather input, not to argue points, from the public.

**Trustee Homan** asked if they have any set information that has been gathered through the years or that could be gathered on a windshield-type basis regarding what the character in general is of the floor area ratio of existing properties at this point in time. She said they are seeing more and more subdivisions, with smaller and smaller lots sizes coming up and they are being pushed at the boundaries of what the restrictions and ordinances are as far as lot size and yet the houses continue to get larger and larger.

**Planner Nighbert** said as discussed at the Planning Commission meeting, they could go back a couple years and look at the building permits and the size of the square footage that was permitted and give that as additional information. He said he would not think that a windshield survey could estimate the size of the homes, but he said by looking at past permits, say the last 3 years, they could determine what the average size of homes is in the Village.

**Trustee McDonough** asked how long it would take to gather the information.

**Planning Assistant Seebach** responded that she could probably have the survey completed in a week.

**Attorney Tippet** said she would like to do a legal research paper on what other municipalities in New Mexico are doing.

**Trustee McDonough** suggested a two-step approach of taking input at a public meeting and secondly holding a retreat to work through the numbers.

**Mayor Abraham** suggested combining this item with Item 8.C.

**Administrator Vigil** said that for a public meeting we need to give reasonable notice, unless the Board is going to conduct the hearing and no decisions are going to be made. He said if you are meeting to take action on a retreat, we normally notice those without an agenda.

**Mayor Abraham** suggested that it be done in October so that it can be noticed in the *Village Vision* and the deadline for the *Village Vision* will be in the next week or so.

**Planning Assistant Seebach** said that since the Guadalupe Trail Character Area already has a floor area ratio imposed on it, she wanted to know if that should be included or excluded from the survey.

**Trustee Homan** suggested that that information be presented as a subset but then also have it included so they can see what the differences are with and without it.

**Mayor Abraham** said staff will determine the best time to hold a public meeting concerning both Items 8.B. and 8.C.

**Tape 2-Side 1-Index #160**

**C. DISCUSSION OF THE RECOMMENDATION TO THE BOARD OF TRUSTEES NOT TO IMPOSE A MORATORIUM ON THE CONSTRUCTION OF TWO STORY RESIDENTIAL STRUCTURES WITHIN THE GUADALUPE TRAIL CHARACTER AREA.**

**Mayor Abraham** said staff will determine the best time to hold a public meeting concerning both Items 8.B. and 8.C.

**John McDowell**, 7201 Guadalupe Trail, said he is on the Planning & Zoning Commission and they did not make a recommendation to this Board on anything. He said they voted down a recommendation for a moratorium and that was the end of the discussion.

**Tape 2-Side 1-Index #185**

**D. DISCUSSION AND APPROVAL TO ADVERTISE IN SUMMARY A PROPOSED AMENDMENT TO THE ANIMAL WELFARE ORDINANCE REQUIRING SPAYING OR NEUTERING OF CATS AND DOGS, WITH THE CITY PROPOSED AGREEMENT TO HOUSE OUR ANIMALS AS THE JUSTIFICATION.**

**Administrator Vigil** said that Items 8.D. and 8.E. are related. He said Item 8.D. is a proposal to amend Ordinance 173, Chapter 3, of the Codified Ordinances to include definitions of “alter” which means to render an animal incapable of reproduction and “intact” for a dog, cat or ferret over 6 months old that has not been altered which implies what animals are to be altered. He said they also want to add to Section 6.J. which is Owner Responsibility, a Section 4 that no person shall own or possess an intact dog, cat or ferret over the age of 6 months old without a valid permit. He said the references to Section 10.F. and 10.G. are where the permits are issued for people who are professional breeders or a circumstance justifies that they remain intact. He said it continues that the owner of the altered dogs, cats or ferrets have proof of sterilization by a licensed veterinarian to be available for inspection by the Animal Control Officer. He said with that they are stating that they have been reviewing the Animal Welfare Ordinance and it does require other changes. He said the reason they are recommending these changes at this time is because the City has sent an Agreement that if the Village does not have the mandatory requirement for spaying or neutering in our Ordinance, the fee for housing animals will be \$132, but by amending the Ordinance, the fee is reduced to \$62. He said in Item 8.E., looking at cost issues, the cost to the Village for housing animals so far this year would have been approximately \$3,700, but by having the amendment we would reduce our cost to \$1,700, plus it is a responsible thing to do not to have unwanted dogs, cats or ferrets available. He said the

proposal under Item 8.D. is to advertise in summary the proposed amendment. He said he has spoken to Mr. Santistevan of the City's Environmental Health Department and was informed that if the Village has an intent to amend our ordinance then the reduced fee will be imposed.

**Trustee McDonough** asked how many animals are housed during the year.

**Administrator Vigil** responded that so far in this calendar year we have housed 28 animals.

**Trustee McDonough** asked who issues the permits and how much it costs.

**Administrator Vigil** responded that in the current ordinance, the permit is issued through the Mayor. He said the permits that have been issued have been reviewed by Legal and animal care. He said they make sure that if the person wants to have an intact animal that they are professional breeders and or meet the appropriate standards. He said if they are companion animals, then they make sure that the animal is properly cared for. He said the permit fee is a one-time \$50.

**Trustee Homan** asked if they are just setting up a process that has no teeth in it. She said she realizes the benefit for the Village and the animals that are being picked up and housed.

**Administrator Vigil** said at this time they need to look at the entire ordinance and revise it. He said this is just a stop-gap measure to help with finances and make sure the animals are cared for. He said the way it is placed in the proposed amendment, it is the owner's responsibility to have the proof of spaying or neutering in possession for the Animal Control Officer to inspect it. He said that will generally happen when a stray is picked up and they want to have it returned by the Animal Control Officer.

**MOTION:** Trustee McDonough moved approval to advertise Ordinance 173 amending the language. Trustee Rael seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 2-Side 1-Index #274**

**E. DISCUSSION AND APPROVAL TO ENTER INTO AN AGREEMENT BETWEEN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE AND THE CITY OF ALBUQUERQUE TO HOUSE IMPOUNDED VILLAGE ANIMALS AT THEIR FACILITIES FOR PROTECTIVE CUSTODY**

**Administrator Vigil** said he believes he covered the rationale for doing this under Item 8.D. He said Legal has reviewed the agreement and made a few modifications and they will submit it to the City Environmental Health Department for their action.

**Trustee McDonough** asked if we have any options other than going to the City of Albuquerque.

**Administrator Vigil** responded that they have checked with local veterinarians and they were not willing to house strays because of the nature of the licensing, inspections and the liability. He said they checked with Rio Rancho and they have a very limited capacity.

**MOTION:** Trustee Rael moved approval of the agreement. Trustee McDonough seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 2-Side 1-Index #297**

**F. DISCUSSION AND APPROVAL TO AUTHORIZE THE VILLAGE ADMINISTRATOR TO HIRE A PART-TIME EMPLOYEE TO WORK WITH THE DIRECTOR OF PLANNING AND ZONING AND THE VILLAGE ATTORNEY ON REVISIONS TO THE ZONE CODE, LANDUSE CASES AND OTHER LEGAL RESEARCH.**

**Administrator Vigil** said the Village has been very fortunate this summer to have Nathan Butters as an intern from the New Mexico School of Law. He said Nathan has been working very closely with the Village Attorney and Planning & Zoning reviewing the Zone Code and other areas. He said the funding for this was approved in the Planning & Zoning Budget.

**MOTION:** Trustee Homan moved approval of the request to hire a part-time Legal Assistant. Trustee Rael seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 2-Side 1-Index #315**

**G. DISCUSSION AND APPROVAL OF THE CHANGE ORDER NO. 3 FOR CERTAIN MODIFICATIONS TO THE CONSTRUCTION OF NEW STORM DRAINS, INLETS, AND MANHOLES AND OTHER UNANTICIPATED CONSTRUCTION MATERIALS AND LABOR.**

**Planner Nighbert** said this change order is the third to the project and is required to meet certain requirements by the AMAFCA Agreement that were deleted from the project when the City refused to allow the Village the use of the Alameda storm drain system. He said the addition of the storm drain inlets to the project at Camino Español requires extension of the drain pipe system from the manhole at Willow Road south to Camino Español which will drain areas within the City limits. He said they anticipate the work will require excavation of a trench. The Village has received the final executed work order amendment from the City. He said the cost for this particular part of the change order will be \$76,797. He said a second part of the change order adds drainage inlets to Mullen and El Paraiso to collect storm water that collects near the intersections of 4<sup>th</sup> Street. He said storm drain inlets will also be added to Willow Road to alleviate drainage ponding from 4<sup>th</sup> to 2<sup>nd</sup> Street. He said the cost of this work is \$107,586. He said the third part of the change order is for unforeseen electrical work amounting to \$6,252. He said the total cost of Change Order No. 3 is \$220,831.50 and the funding is from the contingency funds budgeted for the project. He said the total contract now reads \$5,789,184 and this change order adds 28 days to the contract. He said total days now stand at 286 days.

**MOTION:** Trustee Rael moved approval of Change Order No. 3 for the 4<sup>th</sup> Street Improvement Project. Trustee Homan seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 2-Side1-Index #385**

**H. DISCUSSION AND APPROVAL TO : (1) AUTHORIZE THE MAYOR TO CLOSE ON THE PURCHASE OF LOTS 38-A-1 AND 38-A-2, OF SCHULTE ACRES, COMMONLY KNOWN AS 6693 4<sup>TH</sup> STREET NW CONTAINING 1.0008 ACRES FOR \$750,000 BELOW THE APPRAISAL OF \$800,000 AND (2) AUTHORIZING THE MAYOR TO ISSUE A REQUEST FOR PROPOSAL FOR ARCHITECTURAL SITE DEVELOPMENT SERVICES TO DESIGN A FIRE STATION AND REMODEL OF THE EXISTING BUILDING.**

**Administrator Vigil** said that after doing a lot of research with the Fire Department, the need to construct a new fire station was identified. He said when the Fire Department performed a review of their call data before the Village appeared at the Legislature, they developed a map which plotted all of the calls that were coming into the Village. He said over 75% of the calls were along the 4<sup>th</sup> Street corridor. He said they approached the State Legislature for funding two years ago and received appropriations close to \$700,000 and have received another \$600,000 for a total of \$1.2 million. He said since then they have studied available land that would be conducive to the construction of a fire station and the majority of the issues had to do with land in excess of 1 acre along 4<sup>th</sup> Street that would be close to a signalized intersection so that egress from the fire station would be a safe process. He said the other consideration was that the site should be a visible representation of the Village and an anchor for the Village Center area. He said after entering into negotiations for a property at 4<sup>th</sup> and Bledsoe, the owner imposed too many conditions on that sale plus it was above the appraised value. He said they also looked at another piece of property at 4<sup>th</sup> and Schulte and the owner of that property operates Arnold's Body Shop and has a residence and a rental unit on the property. He said after discussions with Mr. Goller, he agreed to a price of \$750,000 and has included the Environmental Assessment, Phase I. He also has agreed to tear down Arnold's Body Shop. He said staff has been looking at how they can use that lot to meet the current staffing and equipment standards and have developed some preliminary plans which show they can use some of the existing structure for housing and a meeting room. He said another consideration is to continue to operate at least two bays here at the Village for the Fire Department for both the volunteer staff and the paid staff. He said it would operate as a sub-station to Fire District No. 12.

**Planner Nighbert** said the Village retained Godfrey Appraisal Services and their appraisal included 6 properties located in the Village and found the costs per square foot based on a plus or minus adjustment for those properties. He came up with a cost for this property of \$785,000 on several different bases, including sales and highest and best use. He said they believe the price is a good price for the money and is below the appraisal price of \$785,000. The price of the land is \$750,000.

**Acting Fire Marshal Juan Cordova** said they are asking for this property because they have outgrown their current station. He said they have 5 apparatus in a 3 bay station. He said that means they must pull out 2 vehicles to get to the one they need to use, depending on the call. He said the study from 2 years ago showed that most of their calls are on 4<sup>th</sup> Street and with the station on 4<sup>th</sup> Street, they would be able to respond more quickly and provide the care needed to the Village. He said they currently have a problem with housing for female firefighters. He said there is currently only one bathroom for 3 people. He said the females need separate quarters to change and to sleep.

**Mayor Abraham** said he believes there may be violation of OSHA standards which can be addressed with a new station. In addition, he said they want to design the fire station with drive-through bays so that they don't have to back up.

**Tape 2-Side 2-Index #000**

**Ray Cvetic**, 340 Enchanted Valley Place, said there are several people from the area who have grave concerns about this. He said they are essentially an urban area, not a rural area with the congestion on 4<sup>th</sup> Street. He said putting the station up there will cause terrible turmoil and is not workable. He said yes a new station is needed. He asked if there wasn't enough land here to level the current station and build a new one.

**Jim Bryan** said he lives in Enchanted Valley behind Chase Hardware and asked if this has been talked about before.

**Mayor Abraham** said it has been discussed for 2 years.

**Jim Bryan** said he is concerned about the noise of sirens and the trucks backing in and out. He said the bank on 4<sup>th</sup> Street has tied up traffic. He said he personally believes the Village should buy that land at this price. He said he is not necessarily against it, just concerned about sirens blasting in the middle of the night.

**Robert Chavez**, 324 Enchanted Valley, said he thinks the important factor to be considered is that the Village has been working on the Fire Department issue for a long time and they understand that, however, the decision to put it on the described property has not been an open issue and one that was open for discussion.

**Bruce Muhr**, 336 Enchanted Valley Place, said he has lived there for 25 years and he wants to thank the Mayor for helping him with some problems with Waste Management. He said he understands that there are 1200 calls a year that the Fire Department makes. He said that is 1200 times the siren is going to go off. He said he doesn't understand why the existing facility cannot be extended instead of spending an amount that equals the total amount of savings the Village has. He said he also doesn't understand why this is the first time it has come to the residents' attention.

**Theresa Chavez**, 324 Enchanted Valley Place, said that as a child she had a fire station right behind her house and when she heard this fire station was going up right across from her house she was very upset. She said she doesn't like sirens and she thinks it is a danger to the children at Taft and the speeding people on 4<sup>th</sup> Street to have these trucks pulling out.

**Mayor Abraham** said he will take the heat because he is the one who is in favor of this location. He said this will be a sub-station so hopefully the 1200 calls will be split up. He said the location for the fire station needs to be along 4<sup>th</sup> Street in a commercial district because that is where the volume of calls is. He said either way the fire trucks are going to go by their neighborhood. He said he lives on Rio Grande but he has never heard the fire trucks in the middle of the night even though he knows they have been out there. He said he has never had a single complaint about the noise of the sirens. He said he is trying to build the Village from the center out and the momentum is starting to take hold. He said two or three developers are already developing property all along 4<sup>th</sup> Street, north of Schulte. He said he doesn't think the traffic on 4<sup>th</sup> Street is going to be a problem. He said as far as expanding, Hartnett Park will no longer be the largest park in the Village because there will be a \$1.5 million running track and

park west of the fire station. He said the Fire Department will be able to train there and watch the park. He said Taft Middle School will also be able to use the park. He said he believes our firemen are some of the last remaining heroes that citizens have and he would like to see them close to Taft School so the school children can be close to them.

**Bruce Muhr** said it seems to him a strange coincidence that there is a lot of development on Rio Grande with million dollar homes going in and it just happens to coincide with taking all the noise off Rio Grande and sending it over to their houses instead.

**Mayor Abraham** responded that there is no correlation. He said they are getting the money from the State Legislature and in justifying it they performed a study of fire calls for the last several years. He said they discovered that all the calls are centered at the intersections on 4<sup>th</sup> Street.

**Lt. Cordova** said when they approach an intersection at night or during the day, they only use the sirens when necessary. He said by law, they must have the lights and sirens. He said not all 1200 calls require lights and sirens, there are Code 1 calls they respond to where they obey traffic laws, stop lights, etc. He said any time they approach a school zone where kids are present, they cannot go lights and sirens through that school zone, they must obey the law. He said by having the fire station near the school it is also a safe haven if the kids need a place to wait for their parents to pick them up.

**Trustee Rael** said he lives on Osuna and he doesn't hear the sirens that they have been talking about; he said he ignores it and doesn't pay attention to it. He said there is no place in the Enchanted Valley neighborhood that has more traffic than he has.

**Trustee McDonough** said he understands everyone's concerns and the train runs the same distance all the way north to south through Los Ranchos and he hears it every night. He said nobody wants the noise so no matter where they go they will have the issue of sirens. He said the statistics tell them that the calls come from the 4<sup>th</sup> Street corridor and it is the challenge of the governing body to provide for the health and safety of citizens in the community. He said it suggests that the closer they locate the emergency services to where the need is, the better they are providing for health and safety. He said this is a property that is in the corridor that creates the most calls and it is more of an urban center. He said there are a lot of things to be considered: there are limited opportunities for what they can do, they have addressed the issues they have right now with the existing facility, they have identified where the needs are, and they understand wherever they put the station there is going to be concern about the impact to the neighborhood. He said not all of the 1200 calls per year are lights and sirens and not all of them are in the middle of the night and when you start reducing it down, maybe the impact is not as great as they perceive. He said it is certainly not 1200 calls in the middle of the night.

**MOTION:** Trustee McDonough moved approval to authorize the Mayor to close on the purchase of Lots 38-A-1 and 38-A-2 of Schulte Acres, commonly known as 6693 4<sup>th</sup> Street NW and authorize the Mayor to issue a request for proposal for architectural services including site development plans to design a fire station and remodel of the existing large metal building. Trustee Rael seconded the motion.

**VOTE:** The motion carried unanimously, 3-0.

**Tape 2-Side 2-Index #313**

**9. TRUSTEES INFORMAL DISCUSSION**

**Trustee Homan** said she attended the New Mexico Municipal League meeting and New Mexico Transportation Secretary Faught has requested that all municipalities pass and forward a resolution supporting GRIP II. She said the Fire Academy will soon fall under the State Fire Marshal instead of the Insurance Bureau. She asked Administrator Vigil if we had a Fire Inspector among the staff.

**Administrator Vigil** said Lt. Juan Cordova is handling that function as the Fire Marshal and the Fire Inspector. He said he goes through all the buildings and inspects them as well as reviewing building plans with Planner Nighbert to make sure they meet fire codes.

**Trustee Homan** said last Thursday at the PRC meeting the Albuquerque Fire Department was there and they had entered into a Memorandum of Understanding with the Albuquerque Public School System to do all of the inspections in the Albuquerque City limits which would exclude the APS schools in the Village. She said the concern was that there was a double inspection going on and who ultimately had the inspection authority whether it was the Fire Marshal or any individual fire department.

**Administrator Vigil** said our Fire Department already does all the inspections of the schools. He said they have the authority and the right to inspect the buildings and make certain they are safe. He said he will have Chief Perez bring the subject of double inspections up at their next joint fire department meeting to see what is happening.

**Trustee Rael** said when Harry Stowers was Mayor he had the podium cut down because he had too many "primos" that were not tall enough to reach the microphone.

**Tape 2-Side 2-Index #395**

**10. ADJOURNMENT**

**Mayor Abraham** adjourned the meeting at 9:55 p.m.

**APPROVED** by the Board of Trustees of the Village of Los Ranchos de Albuquerque this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

**ATTEST:**

\_\_\_\_\_  
Annabelle Silvas,  
Village Clerk