

MINUTES

VILLAGE OF LOS RANCHOS de ALBUQUERQUE
6718 RIO GRANDE BOULEVARD N.W.
BOARD OF TRUSTEES REGULAR MEETING

April 13, 2005 - 7:00 P.M.

Present:

Larry Abraham, Mayor

Don Lopez, Trustee/Mayor pro tem

Pablo Rael, Trustee

Mary Homan, Trustee

Tim McDonough, Trustee

Juan Vigil, Administrator

Elena Ashley, Acting Clerk

Shawna Maloy, Attorney

Terry Nighbert, P&Z Director

Nancy Haines, Treasurer

Gil Saavedra, Accountant

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Village of Los Ranchos' Governing Body held its Regular Meeting on Wednesday, April 13, 2005 in the Warren J. Gray Hall. The Mayor called the meeting to order at 7:00 p.m.

MOTION: Trustee Lopez moved that Elena Ashley be the acting clerk for tonight's meeting. Trustee Rael seconded the motion.

VOTE: The motion carried unanimously 4-0.

A. APPROVAL OF AGENDA

MOTION: Trustee Homan moved approval of the Agenda and move item 8.A before Item 4.F. Trustee Lopez seconded the motion.

VOTE: The motion carried unanimously 4-0.

B. LEGISLATIVE REPORT ON THE 47TH LEGISLATURE - 1ST SESSION - LES HOUSTON, IMPACT LOBBYING

Les Houston, Village Lobbyist introduced his wife and former Senator and County Commissioner Thomas Rutherford. He said that this was a very unsettling legislative session. He said there was some undercurrent between the Governor and the Legislators over how they were going to split the Capital Outlay. He personally, and on behalf of the Village thanked the Legislators and the Governor. He said the Governor made a big contribution to the monies received by the Village for Capital Outlay. Representatives Ed Sandoval and Teresa Zanetti and Senators Dede Feldman and John Ryan, along with the Governor were the ones that made it possible for the Village to receive these monies. He said they were not successful on Open Space this year and that the Village received \$605,000 for the Taft Ponding projects, \$675,000 toward the relocation of the Fire Station, \$55,000 to replace the Animal Control truck, and \$30,000 for MainStreet. He said he would like to thank the Village for the opportunity to represent the Village in Santa Fe.

Trustee Lopez said they were not nearly as successful using a Lobbyist 7 or 8 years ago.

Les Houston, Village Lobbyist said he is impressed with how the Mayor and Administrator Juan Vigil work together. He recommended the Village have a small function to thank the Legislators. Regarding Unser Racing Museum funding he commented that Tom Rutherford, his son Jeremy and the Unsers were very successful at the legislative session.

Trustee Lopez said he saw Senators John Ryan, Representative Mark Boitano and Senator Gerald Ortiz y Pino Monday night and that they commented on what a good job lobbyist Les Houston did at the Legislature this year and that he would like to thank him.

Mayor Abraham said that he would like to thank Les Houston on behalf of the Village, the trustees and himself.

C. PROCLAMATION PROCLAIMING APRIL, 2005 AS “FAIR HOUSING MONTH”

Mayor Abraham read the proclamation, proclaiming April, 2005 as “Fair Housing Month”.

2. PUBLIC COMMENT PERIOD

Ed Pennybacker, 608 Bledsoe Road, addressed his concerns with Mayor Abraham’s proposed arrangement with Juan Vigil to be Village Administrator in Los Ranchos.

Mayor Abraham stated that Mr. Pennybacker’s comments are noted.

3. CONSENT AGENDA

A. MINUTES - REGULAR MEETING – March 9, 2005

No amendments to the minutes.

B. DEPARTMENT AND COMMITTEE REPORTS

1. Law Enforcement/BCSD
2. Fire
3. Animal Control
4. Code Enforcement

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

VOTE: The motion carried unanimously 4-0.

4. REPORTS

MAYOR'S REPORT

Mayor Abraham reported that the Easter Egg Hunt was very successful and would like to thank the Fire Department. He said that Ranchers Bank has officially changed the name of their branch to the Village of Los Ranchos de Albuquerque Branch, and if anyone sees Henry Jaramillo thank him for doing this.

On the tennis courts he said they are nearly complete. He said Albuquerque Asphalt did extremely well on the courts and hopes to have the tennis courts open in a few weeks.

He reported on meeting with Tom Lang regarding the Village never having a Real Estate Classification section with its own heading. Mr. Lang graciously agreed to put in Los Ranchos de Albuquerque under the heading (2052). He said he hopes that this will make realtors aware that we are a separate municipality and that the gross receipts will go to 02-200.

He said the Village has received an offer of a barn for the Village of Los Ranchos Community Center. He said this would be a great facility for having indoor markets, receptions, and any type of gatherings.

He said they are also exploring the possibility of having the Village covered with wireless internet service. He said in the case of an emergency call from a cell phone, E911 gives the location of the person, but unfortunately, the Village has very few cell sites and has no Verizon cell sites.

He said that Paula Dimit has offered to donate a carving which will be placed in front of Village Hall.

He said in the upcoming MRGCD race several Village residents will be running. They are: Bill Joiner and John Sparks, position 3, and Jim Roberts, position 4. He said the election will be held on Tuesday, June 7th and encourages Village residents to vote because it is important for the Village to have representation to protect the conservancy district.

Lastly, he said a special edition of the Village Vision on Legislative issue will be in the mail within the next week. He said this will include articles from the Village Senators and Representatives as well as an article from the Governor.

B. ADMINISTRATOR'S REPORT

Administrator Vigil reported that he has been working with Wilger Construction on the 4th Street Project regarding the problem with the exit off Chavez onto 4th Street being used as an entrance, and that an inspection of all eight infiltrators has taken place.

Work on the appraisal for the 4th Street and right-of-way project is progressing. He said he has been working with the Department of Transportation and should be getting close to a letter of waiver appraisals in the next couple of weeks and that he will meet with Mr. Don Trujillo from the ROW bureau tomorrow to discuss space, location and proceeding with those issues. He said the first area that we want to deal with is the waiver letters.

Trustee Lopez said that a couple of the residents along Rio Grande have commented that they believe the speed boards are really working. He then asked if the basketball goals are going up at the same time that the acrylic is being put in?

Administrator Vigil responded that one of our local businesses is currently manufacturing the basketball goals which will go on the singles court.

Mayor Abraham said that the net post will come out on the basketball court and it might be a good idea to leave the nets out unless there is a tournament or a need to play so there is no question on whether the basketball courts are available.

Trustee McDonough asked if we are taking any data currently from the speed boards on Rio Grande?

Administrator Vigil responded, no. He said the data boards cost additional money so we purchased two with data capability and yes these can be used on Rio Grande Blvd.

C. PLANNER'S REPORT

Planner Nighbert reported that the Planning Department has handled 14 new cases since January. He said there are two major subdivisions that will be coming through; they have handled four minor subdivisions and a couple of commercial properties. He said there is a request for an Auto Zone on 4th Street, which will be coming before the P&Z Commission. He said they have issued 37 zoning review permits through the County this quarter. He said the gross value of these building permits is \$5,378,000 in new and remodeling construction. He said they have issued 311 business licenses, of that 131 of them were home occupational licenses and the other 180 are regular business licenses.

Mayor Abraham said that he would like to welcome our new attorney, Shawna Maloy.

D. FIRE DEPARTMENT REPORT

Chief Dahl reported that for the month of March they responded to 72 alarms with a total of 223 alarms for the quarter. He said this is a 5% increase over 2004. He said in the first quarter they had 123 EMS patients as opposed to 87 from the first quarter of last year. He said their call volume and patients are increasing with fire calls staying about the same and mutual aid calls being about one-half of the total call volume.

He said if a cell tower is placed within the Village it will guarantee that cell calls are directed to the correct communication center which is Bernalillo County ensuring a faster response time with no delays.

He said they have been working on the rescue truck and they have their tanker in service.

He said they placed a warning about brush fires in the Village Vision because of the misconception that the rain and snow of this past year has reduced fire danger.

Deputy Chief Perez said he would like to personally thank Mr. Les Houston on behalf of the Fire Department for his efforts at the Legislature.

He said another addition to the Village Fire Department is a Bosque bike patrol. He said the Village will be the first Fire Department within the area to offer residents a bike patrol. He said they will have a team of two that ride every Saturday and Sunday from 8 to 5:00 p.m. from Paseo del Norte south to Montano and another crew of two will ride from Paseo del Norte north to Alameda. He said this is just another way for the Fire Department to reach out to the Community.

He said the Easter Egg Hunt was a success with the help of the Fire Department staff and members of the administration.

Trustee Lopez asked when ~~this~~ the bike patrol would start?

Deputy Chief Perez said they will kick-off their bike patrol at the Susan J. Coleman Walk Against Breast Cancer and will officially start the program on May 1st.

4.F. (originally Item 8.A.) - DISCUSSION AND APPROVAL TO AUTHORIZE THE MAYOR TO ENTER INTO A FINAL AGREEMENT BETWEEN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE AND THE UNSER CHILDREN'S DISCOVERY CENTER AND RACING MUSEUM, INC.

Administrator Vigil said that the Village took on this project whole heartedly and with the Board's encouragement they have been working closely with Mr. Unser of the Unser Foundation to ensure that not only can the Village act as an agent ensuring that the funding appropriated to the Unser Museum is appropriately used, but to expedite getting this project underway. He said this has not been an easy project. The relationship of the State and the anti-donation clause has caused some issues in terms of how we relate to one another. He said Dan Pick, attorney for the Unser family has been working very closely with them. The New Mexico Department of Finance and Administration, Local Government Division has acknowledged that this is one of the Governor's priorities and assigned their staff to work with them to ensure a Joint Power Agreement meets with their approval before submittal. He said last week after many exchanges between the Village, Mr. Pick and the DFA attorney, they had a formal meeting with Mr. Al Unser and his representatives, the DFA's Director of Local Government Division, their attorney, their budget analyst, their Capital Outlay person and others who were there to go through the agreement. He said that at this point they have a final agreement. He said they have received all of the necessary documents that were necessary to get a DFA approval; the Foundations bylaws and incorporation, the deed turning over the property to the Village of Los Ranchos, the description of the properties, and the schematic of what the museum is going to look like. He said the final agreement covers all of the necessary requirements. He said the one area that is very critical to the Village in addition to how the money will flow and ensure that the Foundation will follow the procurement code is how we will guarantee that the Village is able to document that we are getting fair market value rent. He said Susan Unser will describe some of the things that she and the Foundation are looking at for making sure that we have this type of documentation. He said that after a lot of negotiation and with the State being at our side, we are prepared to request the Board's approval of the Agreement.

Susan Unser introduced and thanked Marion Hatch, (Board of Directors) and his wife Holly; Lobbyists Joe Thompson, Tom Rutherford and Jeremy Rutherford, and Richard Hughes and Joe Schlegel who have been working diligently with the Unsers to make this a reality, as well as Les Houston. She said that Al Unser was not able to attend tonight's meeting because he had to attend a race in California and missed his plane getting back. She thanked Mayor Abraham and Administrator Juan Vigil for their tenacity, their cooperation and the vision that they have for the Village and for including them in this. She said they are here tonight to request the Board's approval of the Lease Agreement. She said they believe the Museum will be making a contribution to the Village of Los Ranchos and intend to be responsible and good neighbors.

Trustee Lopez said that he understands that the Village is going to lease this project back to the Unsers and asked if this is correct?

Attorney Maloy responded, yes this is correct.

Trustee Lopez asked if contractors working at this site would have to go through the procurement code?

Administrator Vigil said that because this project was already in place it is one of the things that they are working on with DFA and the procurement code will be followed.

Trustee Lopez asked if we will have this in writing?

Administrator Vigil said it is in the Agreement.

Trustee Lopez asked what is the reason for the 10 year time period?

Administrator Vigil said given our estimates, during the first 10 years they should be able to not only pay us the normal fair market rate, but acquire sufficient credits from other services that are performed, plus the land donation to buy it back after 10 years. He said there is also a renewal clause that is available in the event that at the end of 10 years the situation, financial or operation requires an extension.

Trustee Lopez asked as far as long-term revenue has anybody in the Village worked with the Foundation to estimate what the long-term revenue from this would actually be?

Administrator Vigil said that this has been a difficult question because the Foundation is four years old and has not been operating as a full foundation with an operating budget. He said it will be the Foundation's responsibility to document and report to the Board of Trustees and to the public that we are abiding by the anti-donation clause and that everything is according to State Statutes. He said DFA is also available to oversee and help us with these issues.

Trustee McDonough said what he understands from the Agreement is that the Village takes on no responsibility for operations or maintenance of the facility.

Administrator Vigil responded, yes that is correct.

Trustee McDonough asked if the Village has any liabilities in terms of suits brought against the company.

Administrator Vigil said that the company is to indemnify the Village and that we need to look over the insurance documents to make sure that we are fully indemnified.

Trustee McDonough asked if for insurance type loses the Village is a copayee?

Attorney Maloy responded, yes this is correct.

Lobbyist, Jeremy Rutherford said he thinks they did very well this year considering that there was a move from City of Albuquerque to the Village. He said there was a lot of work going into getting the money that was allocated last year and they think that next year we will probably be able to boost the donations from the State again once the little bit of controversy that arose from moving in here dies down a bit. He said he would like to thank the Village's local representatives and Senators, especially Senator Ryan, Senator Snyder, your new Representatives Greg Payne and Eric Youngberg did very well, as well as Representative Fox Young.

Lobbyist, Joe Thompson said it was an incredible honor to work with the Unsers on a project like this. He said that being able to place the Unser Museum here in the Village is such an incredible opportunity and they are grateful for the cooperation that the Village has provided.

Joe Schlegel, Architect presented the design plans for the Unser Childrens' Discovery Center and Racing Museum.

Trustee Lopez asked if assuming that all of the funding comes in a timely manner and everything falls into place, at the most optimistic, when would this museum be ready?

Richard Hughes, G&H Construction said that he hopes to turn over the building close to the July 30th date. He said the biggest thing that they are running into right now is getting the infrastructure put in because it is a very old building.

Susan Unser said that their website unserracingmuseum.com which features predominantly the Village of Los Ranchos. She said there will be an actual video showing a timeline.

Trustee McDonough said that he would like to compliment Administrator Juan Vigil on designing an agreement that weaves around anti-donation and the procurement issue.

Mayor Abraham said there was a lot of perseverance on all involved parties, especially the Unsers and the Museum and especially Administrator Juan Vigil.

MOTION: Trustee Homan moved approval authorizing the Mayor to enter into a final agreement with the Unser Childrens' Discovery Center and Racing Museum. Trustee Rael seconded the motion.

VOTE: The motion carried unanimously 4-0.

5. FINANCIAL BUSINESS
A. CASH REPORT- MARCH

Trustee Lopez said he has reviewed the Cash Report and assumes that the other Trustees have as well.

MOTION: Trustee Lopez moved approval of the Cash Report. Trustee Rael seconded the motion.

VOTE: The motion carried unanimously 4-0.

B. DISCUSSION AND MOTION TO APPROVE THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE'S PROPOSED BUDGET FOR FISCAL YEAR 2005/2006 FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION'S REVIEW

Administrator Vigil stated that according to the rules and regulations of the DFA, which we follow in adopting a budget, the Board of Trustees is required to hold a public hearing to allow anyone in the public who wants to address any of the financial issues or other issues regarding the budget to come forward.

Roger Erker, owner of J.B.'s Restaurant, 6621 4th Street NW said the reason he is here today is to address the article in the newspaper regarding Administrator Juan Vigil's salary. He said in order for Mayor Abraham to do his job we need to give him the authority to run it the way he sees fit. He said the statement in the article that if someone is making a pension they should not be making a salary, really bothered him; this is ~~there~~ **their** money, they have earned it. He said the residents always have the option of making another choice in four years if they are not happy with the results of the present administration. Lastly, he asked if there is something in the budget to address some of the vandalism issues.

Administrator Vigil said that developing a budget is an interactive process where we look very seriously at complying with the DFA rules and regulations and the need for the budget getting to them by the deadline in order to avoid any audit exception. He said they began dealing with this issue in early February of this year by familiarizing the department directors and employees that are affected by the budget process that they needed to undertake in order to deal with their own areas of responsibility. He said Gil Saavedra did a fantastic job of getting all of this information together, of providing each of the department directors with not only the noncontrollable line items, like salaries, benefits, utilities, those items that are basically fixed items, also with pointing out areas where he saw fluctuation in expenditures that were either being exceeded or not being met. Then they took that information, especially the larger departments such as Planning & Zoning and the Fire Department where we have our major expenditures, and expressed areas of concern and need and growth and how they were able to deal with them. The other challenge was for them to come up with suggestions, especially in the Fire Department, where overtime and other costs related to salaries, on how to better manage those areas in order to save money to allow for a more competitive wage salary for a firefighter. They also have been doing a good job in doing a task analysis in doing comparisons. They have

gone through each of their equipment to check for down time, how much time was spent at the mechanics for any type of work, the number of hours that an engine runs when you take it to a rescue call and if there is a better mechanism to increase efficiency as well as safety of delivery of services. He said in the Planning & Zoning Department this is one of the areas where, as Terry Nighbert mentioned, we are looking at over \$5 million dollars of construction in this quarter.

Accountant Saavedra said our main revenue is our gross receipts. He said he has been looking at this with various analyses and in finishing one today he thinks that we are being conservatively optimistic. He said we were conservative but also set a goal to get some things done. He said the Mayor has ideas in terms of making sure that everybody is filing under the right CRS number and we will be making some efforts in this area. He said it amounts to about \$32,000 more than 2004. He said 2004 seems to have been a good year for gross receipts at \$1.7 million. For 2005 we are about \$25,000 less. He said there were some irregularities in the March distribution and that they are talking to the Taxation and Revenue regarding this. He said the payroll is pretty much a given; everybody's payout was scheduled for the full year. He said they met with everybody regarding anticipated expenses and looked at what had been spent. He said the only year they had to look at was our fiscal year ending 2004 and the eight months through 2005 and those expenditures were much less than had been budgeted. He said he did not allow for a lot of cushion. If the budget is tight you tend to be frugal, making sure not to overspend. He said they tried to be very specific about the type of expenditures that got into each of the controllable line items like gasoline, supplies, and those types of items. Other items where there are proposed Grants or revenues coming in are not included in the budget; the reason being is in discussions with Juan, Treasurer Nancy Haines and Martin Ortega, DFA these items could be included only if we had a formal agreement. So it was decided to leave them out until such and then incorporate them into the budget at that time. He said he provided several notes, a comparison and various schedules to support the numbers. He said at the back of the page he also provided the budget and finance manual that gives a timeline with the requirements. He said on schedule G, page 10 of 40 this goes with what Juan was saying about us really being careful and watching the expenditures and making sure we are not overspending. He said they did not just go on historical information. He said this is how they approached most of the items.

Trustee Lopez referred to page 11 of 27 in the very first of the budget where it shows total fund expenditures of \$1,797,372 and on page 1, a total of \$1,983,950 and asked Gil if what he is proposing even under conservative assumptions that we would end the fiscal year on June 30, 2006 with \$186,000. He said if there are any unanticipated needs of the Village or if there are other things that have to be done to satisfy resident concerns we will actually have the capability to deal with these needs. He said in doing this he has established the basic criteria for the budget. He said over the last several years we have been \$100,000 to \$200,000 in the hole because of litigation issues and paying engineers \$150,000 to do projects that were never constructed. He said this is a significant improvement over the way we have been doing business.

Trustee Lopez said that in the mid-year budget we authorized \$68,000 a year, which he thought was low at that time, and now it appears that the Mayor and Administrator Vigil have reached an agreement on \$75,000. He said in his opinion that is a mutual agreement and as long as the Trustees concur with the proposed budget and are satisfied with the way

the Village is operating he does not see why anybody should be concerned if we are getting the job done.

Accountant Saavedra said that in referring to the General Fund Budget Comparison, page 12 of 12 the actual for 2004 was \$1,865. and that we are projecting \$1,797,000 for 2006, which is \$68,000 less. He said the approved budget for 2004/2005 was \$1,775 and our proposed budget is \$22,000 more than that. He said even with all the rearranging and everything else our expenditures are still within reason.

Trustee Lopez referred to a proposed expenditure of \$10,000 for litigation/attorney fees for the Anderson case and asked if this is just an estimate?

Administrator Vigil said that we have entered into agreements with the attorneys for the Anderson 280 foot setback lawsuit and Sanchez vs. the Village and Cronks at about \$20,000, leaving us with \$10,000 for this year and \$10,000 for next year. Our objective is to have those cases decided based on that amount. If it goes to extended litigation then we will come back to the Board with the information either through a closed litigation session or other to bring to your attention why that budget needs additional appropriation.

Trustee Rael said that after being on the Board of Trustees for two years with the previous administration and comparing the budget then with the present budget, it is such an improvement over what we have gotten in the past. He said it makes sense now where as before all we got excuses. He said he would like to commend Accountant Saavedra for all the work he has done on this budget.

Trustee McDonough said that in comparison to budgets from a number of smaller communities he has never seen one this well detailed.

Trustee Homan said from the standpoint of being a representative of the Village, when we have constituents that have questions we now have a tool that can be referenced back to and feel confident in our responses.

Trustee Lopez said that about 2 to 2 ½ years ago, occasionally he would see the Fire Department with the Fire Truck at a restaurant on the Westside at night and appreciates this being mentioned as well as being monitored.

Treasurer Haines said she would also like to add some very positive comments about this administration and how they have handled the financial aspects. She said it certainly makes her job a lot easier and is very pleased with the way the budget turned out. She said in response to the comments earlier in the evening concerning Mr. Vigil's salary there is a misconception that the Village receives money from the taxpayers through our property taxes. The primary receipts of the Village are from gross receipts generated by our businesses and that is what pays for the salaries.

Mayor Abraham said that Juan did not come to him for a raise. He said he went to Juan and said he thought his salary should be adjusted to \$75,000; the very least he could do for the amount of work he has put in and for the amount of money he has saved the Village as well as the professional level he has brought it to.

Trustee Homan said that as an active member of the business community she would like to pass along the words of confidence that the business community has in the current administration, greatly lead by Mr. Vigil in that it is now an open door where they can seek out business licenses and future investments in our Village.

Trustee McDonough said we were given a schedule of salaries across the board and clearly our employees show a lot of dedication, because we are not keeping them with high salaries. He said he would not only like to thank Juan but would like to thank the rest of the staff and the Fire Department.

Administrator Vigil advised the Board as this is their first reading of the budget they can choose to adopt it, delay action to the next meeting, or defer it for further review and then adopt it at the May meeting, but that the May meeting is when the BOT needs to take action. He said it is ready to be put into the DFA format whenever the Board of Trustees approves it and gives us the authority to submit it. He said as indicated in his summary they still have to submit it to the DFA and if there are any amendments we will have to amend and adopt a final budget resolution based on their input.

Trustee Lopez said he sees no reason to wait and personally believes that this budget has been well prepared. He said it should be submitted as soon as possible.

MOTION: Trustee Lopez moved to approve the Village of Los Ranchos de Albuquerque's proposed budget for fiscal year 2005/2006 for submission to the Department of Finance and Administration, Local Government Division's review. Trustee Homan seconded the motion.

VOTE: The motion carried unanimously 4-0.

6. PUBLIC HEARINGS AND APPLICATIONS

None.

7. OLD BUSINESS

None.

8. NEW BUSINESS

Item 8.A. discussed as Item 4.F.

B. DISCUSSION AND APPROVAL TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE AND BERNALILLO COUNTY FOR LAW ENFORCEMENT SERVICES.

Administrator Vigil said he and Gil met with Undersherriff Sal Baragiola and the Public Safety Division Director, John Dantis and they went through the Law Enforcement Services Agreement. He said there were various concerns that were addressed. There is new language inserted that allows for an accounting audit. He said Shawna looked at the issues in terms of liability and has done some cleanup of the language. He said the cost

analysis is not available because the Collective Bargaining Agreement with the Bernalillo County Sheriff's Association has not been finalized. He said this is why they are requesting that the Mayor be authorized to enter into the agreement. It is a four year agreement renewable annually at our discretion. He said they also informed the County that if they find some better options that they may be looking at contracting with either firm or doing something different.

Accountant Saavedra said that we received a credit; it was adjusted from 10% to 3%. He said we are only getting billed for a Sergeant and two deputies so maybe by the end of the year we will not be quite over budget.

MOTION: Trustee McDonough moved approval to authorize the Mayor to enter into an Intergovernmental Agreement between the Village of Los Ranchos de Albuquerque and Bernalillo County for Law Enforcement Services. Trustee Rael seconded the motion.

VOTE: The motion carried unanimously 4-0.

C. DISCUSSION AND APPROVAL OF THE AWARD OF RFP #2005-03-01 AWARD TO THE SOLE RESPONDENT, BUSINESS SHOP, INC. AND AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE BUSINESS SHOP, INC.

Trustee Lopez said that apparently the Business Shop was the sole respondent to the RFP and it appears that they are doing an outstanding job.

MOTION: Trustee Lopez moved approval of the Award of RFP #2005-03-01 to the sole respondent, Business Shop, Inc. and authorized the Mayor to enter into a contract with the Business Shop, Inc. Trustee Rael seconded the motion.

Trustee McDonough stepped out and was not available for the motion.

VOTE: The motion carried unanimously 3-0.

D. DISCUSSION AND APPROVAL OF SUMMARY PUBLICATION OF THE BOARD'S INTENT TO AMEND ORDINANCE 176 AMENDING SECTION 1 PROMOTIONS, TRANSFERS AND DEMOTIONS AND SECTION 9(a) EMPLOYEE BENEFITS BY ADOPTING AN ORDINANCE

Administrator Vigil said that this is one of the areas mentioned earlier in the budget presentation. He said one thing that is very important to all of us is that there is some assurance that we look at the pay increases as not being an area for wage compaction. He said our drivers and our lieutenants basically perform the same type of duties so you cannot compartmentalize some of the employees to do the investigation and another part to do school patrol. He said if there is an increase in their salary that it would be determined by the category rather than by longevity as they work as a coordinated composite unit where all the lieutenants and drivers carry the same duties. He said another concern is the change in salary ranges. He said we need to do a survey periodically, at least once during the

Mayor's term to review the salaries of firefighters and drivers in the surrounding areas that have comparable types of duties and issues. He said in the case of temporary positions, if someone is carrying the duties of a higher rank they should get compensated. In the current provisions we have no way to do this. He said if there are four consecutive upgraded shifts that the employee will get a 3% increase in their salary from the first shift until the end of the upgrade. He said the other area is holidays; the proposal is for floating holidays instead.

Accountant Saavedra said in overall costs in terms of the raises we are looking at \$25,700 and in terms of the holidays it is about \$32,000, because they had to be replaced with a temporary person, so that person had to be paid for 24 hours as opposed to paying what normally would have been holiday pay. He said even though we are going to a 48/96 hour day, they still work 15, 24 and 9, so they could get paid for either. He said it ends up being a little bit more in terms of paying a temporary even if they do not have benefits.

Trustee Lopez said what he understands is that this has been a mutual work effort between the Fire Department staff and our administration to come up with ways of trying to improve retention and to also assist the employees with deserved compensation.

Lieutenant Hossom said that in the long run it is a way of keeping employees that are already trained and are comfortable with the community. He said in the past there really has not been a promotion other than moving up to Lieutenant.

Trustee Lopez asked how often does the Fire Department check the fire hydrants?

Lieutenant Hossom said they conduct this annually.

Deputy Chief Perez said that when both he and Chief Dahl came into position one of their key goals was to get their employees the pay incentive they deserved and make sure that it was going to be secure for administrations to come with the adoption of these ordinances. He said with the help of Administrator Vigil, Mayor Abraham and the entire fire department staff they have built a solid plan to retain some of the best, most highly qualified firefighters in the entire city, right here in the Village. He said his goal is to one day retire from the Village of Los Ranchos de Albuquerque Fire Department, as he hopes others will.

Trustee McDonough said he is concerned with amendment C because it seems contrary to most pay scales.

Mayor Abraham said that the 3% cost of living should separate them out.

MOTION: Trustee Rael moved approval to publish in summary, ordinance 176, amending section 1 promotions, transfers and demotions and section 9(a) employee benefits by adopting an ordinance. Trustee Homan seconded the motion.

VOTE: The motion carried unanimously 4-0.

E. DISCUSSION AND APPROVAL OF THE APPOINTMENTS OF MR. MATT HUNTER, 2409 GLENWOOD CT. N.W. AND MR. HAP CRAWFORD, 821 CHAMISAL RD. N.W. TO FILL THE VACANCIES

ON THE PLANNING AND ZONING COMMISSION AND TO CONSENT TO GLENN FELLOWS SERVING A THIRD TERM AND SAMUEL GOLLIS A SECOND TERM

Mayor Abraham said they had 6 or 7 very good applicants who were interviewed. He said they chose two very qualified gentlemen that would add the strength that we need to the Planning and Zoning Commission. He said they did offer positions or other committee assignments to the other applicants that were not chosen.

MOTION: Trustee Homan moved approval of the appointments of Mr. Matt Hunter and Mr. Hap Crawford to the Planning and Zoning Commission and to consent to Glenn Fellows serving a third term and Samuel Gollis a second term. Trustee McDonough seconded the motion.

VOTE: The motion carried unanimously 4-0.

9. TRUSTEES INFORMAL DISCUSSION

Trustee Homan said that she has received several phone calls regarding articles that were in the newspaper this last week. She said the item of concern to both herself and other residents was the issue of the animal ordinance or lack there of, as far as some of the policy goes. She said we do have a lot of residents here in the Village, being that we are a semi-rural community that depend on our animal control person to pick up and help trap nuisance animals, such as skunks and raccoons in particular. She said it has been a concern for the residents who called wanting to make sure as we are approaching the high season for these animals that there will still be aid or help available from the Village in the disposal of these animals. She said her own personal concern is that if we do not have this kind of aid in the Village primarily for the skunks we may see an influx of our residents taking the problem into their own hands in the destruction of these animals with the use of firearms. She said her suggestion and her hope for support from the Mayor and her fellow trustees is that we will allow the animal control personnel to continue the practice of helping dispose of these nuisance animals.

Mayor Abraham said they will be addressing this soon in going over the animal ordinance. He said he asked Administrator Vigil to make some calls to other municipalities to see what they are doing about nuisance animals. He said it is not that Arturo is not available it is more of a policy issue that needs to be discussed.

Trustee Homan asked what the Village will be doing for the residents in the interim?

Administrator Vigil said they will continue what they have been doing. It depends on the type of situation. If it is a skunk that is causing a nuisance and a potential danger we will provide the trap as well as the disposal of the animal, but if the skunk, etc. is not causing a nuisance, not attacking chickens, etc. we refer the resident to private business that handle pest control.

Trustee Rael asked if any discussion or anything has been done to mitigate the noise problem in the Caballero neighborhood after the trimming of the bushes. He said he has received a couple of e-mails to see if anything can be done about the noise with the park being next door.

Mayor Abraham said he is surprised to hear this as right now the tennis courts are not being used and we did not trim any of the trees that are closer to the playground that ~~would should~~ buffer the sound. He said they will maybe consider possibly putting up some screening on the east side of the fence. He said he has actually had a resident tell him that he enjoys hearing the kids playing and knowing that the park is being used.

Trustee Rael asked if the Northdale contractor agreed to put up some temporary traffic signs on Chavez Road because he has seen cars entering Chavez from 4th Street and has gotten several e-mails regarding this problem.

Administrator Vigil said the contractor at this point is responsible for doing this. He and Ray Macy have met with Wilger, we have encouraged them to place some temporary traffic signs. He said they have ordered the permanent signs, but the temporary "Do Not Enter" signs should have been up there from the time they opened up Chavez.

Trustee Rael said another thing that is happening is that people that want to go south on 4th street will cut through the Taco Bell so they can turn south.

Mayor Abraham said he thinks a lot of this will be cleared when the intersection is finished with the final signalization, but until then we are going to have challenges.

Mayor Abraham said that the Village has gotten \$480,000 in legislative funding during the past five years and at this session alone the Village received 1.31 million and 3 million to the Unser Museum.

Trustee Homan reminded everyone that tomorrow is the Chamber of Commerce meeting at 7:15 a.m. at El Camino Restaurant and there will be discussion on additional legislative actions.

Mayor Abraham said he would like to suggest that a closed litigation session be held for pending and threatened lawsuits just to keep everyone informed on where we are according to the Open Meetings Act. He said he would suggest possibly doing it in two weeks on a Wednesday.

Trustee Lopez said that Wednesday, April 27th at 6:00 p.m. is good.

Administrator Vigil said this will need to be published.

Trustee McDonough asked if we can do it strictly closed.

Administrator Vigil said it can be done as a special closed meeting and at the succeeding meeting they need to disclose that they met in close session at certain date and discussed the matters that were on the agenda.

Trustee McDonough asked if we will still be scheduling a retreat?

Mayor Abraham said he is fine with the retreat he is just waiting for a date.

10. ADJOURNMENT

MOTION: Trustee Homan moved to adjourn the meeting at 9:35 p.m. Trustee Lopez seconded the motion.

VOTE: The motion carried 4-0.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque this _____ day of _____, 2005.

ATTEST:

Annabelle Silvas, CMC
Village Clerk