



VILLAGE OF CORRALES
GOVERNING BODY
REGULAR MEETING

MINUTES

October 12, 2010

6:30 p.m.

COUNCIL/MUNICIPAL COURT CHAMBERS

Governing Body present:

Mayor Gasteyer
Councilor Alsobrook
Councilor Clauser
Councilor Gagliano
Councilor Garcia-Miera
Councilor Gerhart
Councilor Harper

Village Staff present:

Village Administrator John Avila
Village Clerk Juan Reyes
Police Chief Ray Vigil
Fire Chief Anthony Martinez

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Gasteyer called the meeting to order at 6:35 pm and led the Pledge Allegiance in both English and Spanish (Juramento de Fidelidad).

II. APPROVAL OF AGENDA

Councilor Garcia-Miera suggested that item number 15 be moved up, and Mayor Gasteyer suggested that it be moved between items 6 and 7. Mayor Gasteyer also suggested that item number 18 be moved to after item number 15.

Motion: Move to approve the agenda with the suggested changes, **Action:** Approve, **Moved by** Councilor Garcia-Miera, **Seconded by** Councilor Gerhart.

Vote: Motion carried by unanimous vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

III. APPROVAL OF MINUTES

1. September 28, 2010 Council Minutes

Motion: Move to approve the minutes of the September 28 Council Meeting, **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Harper.

Vote: Motion carried by unanimous vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

September 14, 2010 Council Minutes

Motion: Move to approve the minutes of September 14, 2010 meeting with the following addition on line 475 ", and that we will not have a problem gaining further funds."

Action: Approve, Moved by Councilor Gagliano, Seconded by Councilor Harper.

Vote: Motion carried by unanimous vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

September 14, 2010 MainStreet workstudy Minutes

Mayor Gasteyer pointed out that MainStreet Treasurer Dick Foote was in attendance at the workstudy and it should be reflected in the minutes.

Motion: Move to approve the minutes of the workstudy with Corrales MainStreet with the inclusion of Dick Foote in attendance, **Action:** Approve, Moved by Councilor Gerhart, Seconded by Councilor Clauser.

Vote: Motion carried by unanimous vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

IV. ANNOUNCEMENTS

Mayor Gasteyer announced the following:

- There is a meeting on Wednesday, October 20 at 1:30 p.m. with the Corps of Engineers at the Main Fire Station regarding the bosque restoration project;
- On Friday, October 22 at the Main Fire Station, citizens are invited to come in and get a bottle for sampling well water at the water fair;
- In response to the number of people living in the far northwest sector who indicated they didn't understand the infrastructure development plans for the area, there will be a public meeting at the Fire Substation on October 27 at 6:30 p.m.
- The 3rd annual Trick-r-Trunk, Trailer or Truck event will be on Sunday, October 31 from 6:00-7:30 at the Rec Center.

Mayor Gasteyer mentioned that in November and December of the last several years, one regularly scheduled meeting has been eliminated because of the holidays. This year, the second meeting in November will be two days before Thanksgiving, and the second meeting in December falls between Christmas and New Year's Day. The Governing Body might want to consider eliminating one of those regular meetings.

V. PETITIONS

VI. COMMUNICATIONS
2. Administrator's Report

Administrator John Avila discussed his Administrator's Report (see attached).

Councilor Gagliano asked for the time and location for the master trails meeting?
Administrator Avila answered October 19 at 6:00 pm in the Council Chambers.

a. Discussion of solar project.

Administrator Avila updated the Governing Body on the project.

Councilor Gerhart wondered what the term is on the interconnectivity agreement?
Administrator Avila said that the way it is set up now, it does not span the 40 years. It's just over 10 years.

Councilor Alsobrook asked about the collateral and wondered if that's something that needs to be set aside in a different account? Administrator Avila said that the Village actually spends that money and it stops the Village from borrowing against any more of those GRT funds.

Councilor Harper wondered if there is still a process of RFP's to go through to choose a vendor? Administrator Avila said that is correct and the RFP process will happen after funds are secured. Councilor Harper wondered what is the average life span of the equipment and what sort of maintenance liability is the Village inheriting? Administrator Avila said that the minimum life span is 20-30 years, and the production decreases from there. As for maintenance, it is his understanding that the panels don't need maintenance. The mechanical parts might need cleaning. The roof might need to be replaced in 20 years or so. Councilor Harper expressed some concern about getting into a 40 year commitment with a 20 year life span. Councilor Garcia-Miera said he had met with Peter Page and asked him if the maintenance costs were included, and he answered no. Councilor Harper said that in the RFP's, he would like to see potential vendors show a track record of their own and industry wide.

Councilor Gagliano noted that it's possible that in 10 years, this sort of technology could be obsolete. Councilor Garcia-Miera said he ran the numbers in terms of the amortization schedule, and only after 20 will the principal balance begin to get paid down at a balance of \$950,000, and the system could be completely obsolete by then.

VII. COUNCILORS FORUM: This section is for information purposes only, not for discussion and debate, to inform the Governing Body of an issue/ concern that would not be addressed on the agenda during the business session.

Councilor Clauser said she attended the Water Resources Board meeting and they too are looking forward to the conclusion of the court case discussed by Tessa Davidson at the last meeting. They are also having a difficult time getting a quorum, and that is a concern. She also picked up copies of the 2009 Traffic Flows for the Greater Albuquerque Area for each of the Councilors. She thinks the Village needs to stay on top

of traffic flows in the Village. She discussed traffic at various areas in the Village, and would like to see more enforcement to keep the speeds down.

Councilor Alsbrook said he and Councilor Clauser are members of the Silica Testing Task Force which is purposed to ensure an open and transparent process for Intel's next round of testing for amorphous or crystalized silica, which has been indicated as a pathogen in fibrosis. The process part has been completed. The Task Force has established how the procedures are going to be, how the reports are going to be written and how the data will be handled. There will also be witnesses from the Task Force onsite during the sampling.

Councilor Gagliano said he attended the "sustainability" task force meeting looking at alternative funding and how to increase gross receipts tax. The meeting was well attended and there were many good ideas that came from it. At the next task force meeting, there will be some tallying of all the ideas. Councilor Garcia-Miera said he hadn't set the date for the next meeting yet.

Councilor Gerhart thanked the administration and Attorney John Appel for their assistance to her while she was Mayor Pro Tem. She said that the art center group met and is now proceeding on two parallel tracks to gather more information, one track being a facility and the other being programs for the facility. Councilor Gerhart also reported on the 2035 planning. At the regular meeting with Tony Abbo and the Village, Mr. Abbo recommended to have Corrales Road included in the 2035 plan for total reconstruction. It would change how DOT is thinking about Corrales Road. DOT is also doing a title survey on their ownership of the road.

VIII. CORRALEÑOS FORUM: This section is for information purposes only, not for discussion and debate, to inform the Governing Body of an issue or concern that would not be addressed on the agenda during the business session. There is a 3-minute time limit, unless approved by the Presiding Officer.

Matt Davidson said that he is on the Parks and Rec Commission. He said the Commission has been looking at the fees and the approval process for using the Parks and Rec facilities and they will have more suggestions to make the process easier for the Village administration.

Steve Henry spoke on behalf of Corrales Horse and Mule People (CHAMP). He discussed the upcoming Corrales Recreation Ride this Saturday. He also discussed a donation of an old water truck from Pine Ridge Arabians for use at the Top Form Arena events.

Sandy Gold requested street sweeping on Corrales Road, specifically at the intersection of Coronado and Jones Road. There is an accumulation of gravel at those areas. She also said that the lock on the first stall of the women's restroom in the Council Chamber's building is broken.

Joe Stefan from the Parks and Rec Commission said that the Commission voted to give the Governing Body the draft spreadsheet they put together of fees collected for rental of the facilities versus what could have been collected had the fee schedule been followed closely. The Commission also thinks that some of the fees that are charged, specifically to CHAMP, are ludicrous, especially since CHAMP makes contributions to the Village.

**IX. CONFIRMATION OF PERSONNEL RECOMMENDATION:
3. N/A**

**X. CONFIRMATION OF APPOINTMENTS
4. N/A**

XI. OLD BUSINESS:

5. Discussion and instruction to the Mayor regarding Professional Services Agreement with Corraies MainStreet and the Village, for Fiscal Year 2010-11.

Jim Kruger, President of Corrales MainStreet, discussed the revised Agreement. He commented that since the last meeting, MainStreet was had some input from the Governing Body and Administration that resulted in changes to the document. There is now an inclusion in the agreement for part of the fees being based on performance.

Mayor Gasteyer commented about the scope of service which says that MainStreet will serve as a trails coordinator for the Village. He said that he Master Trails Plan, which has not been adopted, does talk about having a trails coordinator. The Mayor wants to make sure that what MainStreet is offering to provide is a planning or coordination function of some sort, and he said he has asked the Village Administrator to act as a trails coordinator. Mr. Kruger said that MainStreet would act as an assistant or associate to the Village Administrator in his role as trails coordinator. Also, there is a need to come up with another agreement about exactly what MainStreet's role is in assisting the Administrator in that regard.

Mayor Gasteyer also asked Mr. Kruger if MainStreet will continue to offer the Village space in MainStreet's newsletter for public service announcement purposes? Mr. Kruger said yes.

Mayor Gasteyer commented that under "Compensation" in the Agreement, it might be better to say in the introductory sentence "For the services and tasks described herein, the Village shall pay to the contractor during the term July 1, 2010 to 2011, a total sum not to exceed \$20,000." The Mayor noted an approving nod from the Village Attorney. Mayor Gasteyer said that at the end of the "Compensation" portion of the Agreement, it is stated that the bonus payments will be paid if awarded in the next fiscal year. The Mayor suggested that the pay date should be June 30 for bookkeeping purposes. These minor changes were agreeable to Mr. Kruger.

Councilor Alsobrook asked if there the State MainStreet organization requires a minimum amount for financial support from the municipality? Mr. Kruger said that in the Agreement with the State MainStreet organization there are some specific dollar amounts, but because of all the fiscal issues with all the municipalities, the State organization has become flexible in that regard. In the past, the minimum support was in the range of \$30,000.

Councilor Harper pointed out a typo in the Agreement.

Motion: Move to approve the Professional Services Agreement between the Village of Corrales and Corrales MainStreet with the change under "Compensation" and the second line to read "not to exceed \$20,000" and with the correction on the following page of the date under "Registered Businesses" to read "June 30, 2011" and also after the phrase "payment will be paid, if awarded by June 30, 2011", **Action:** Approve, **Moved** by Councilor Gerhart, **Seconded** by Councilor Harper.

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

No: Councilor Alsobrook.

XII. NEW BUSINESS:
6. FUTURE AGENDA ITEMS

Mayor Gasteyer announced the following as possible future agenda items:

- A first reading of an Ordinance involving the borrowing for the solar retrofitting purpose;
- An Ordinance regarding holidays for Village employees;
- A presentation from SSCAFCA relating to their drainage activities in the Village;
- A Resolution forming an investment committee;

Councilor Garcia-Miera said that he would like to see an agenda item discussing directives and policy for next year's budget. The Mayor said that Finance Officer Terri Gray has informed him that she has to submit her first quarterly report to DFA the first or second week of November, so perhaps that agenda item could coincide with that date and be on the first November agenda.

15. Discussion of ATV's in the Arroyo de los Montoyas.

Susan Weiss said that the noise and speed from the ATV's are very disturbing to wildlife, and that it's possible that the coyote's in the arroyo relocated because of the ATV's. She discussed the disturbance and danger to wildlife and neighbors.

Jan Schultz agreed that there is a large degree of environmental degradation by the ATV's. She wondered what can be done about this? Trash is also be dumped in the arroyo. She discussed frustration with protecting the arroyo and wondered why people from Rio Rancho are coming in to destroy it? She said that she was told by people in the arroyo that Rio Rancho Police sent them out of Rio Rancho into Corrales to ride their ATV's, motorcycles and four-wheel drive vehicles.

Councilor Gerhart said that the proposal with SSCAFCA is to enter into a Joint Powers Agreement or a Memorandum of Understanding to refine the enforcement capabilities of Corrales Police.

Mayor Gasteyer said that he would bring up the subject with Mayor Swisstack in Rio Rancho. He said that Police Chief Vigil and Rio Rancho Police Chief Boone are in close contact.

Chief Vigil said that he's talked to Chief Boone about Rio Rancho police officers sending people into Corrales, and was told that his officers are not doing that, but that Chief Boone would talk to his officers and tell them not to tell people to come to Corrales. As far as jurisdiction, the Village is working with SSCAFCA to get an agreement so that Corrales police can cite people in the arroyo for trespassing. As of right now, the police cars are not equipped to handle the arroyo and when people see the Corrales police coming, they take off back into Rio Rancho. Last week, at the direction of Administrator Avila, the Chief pulled two officers off of patrol to go to the arroyo. He said he will continue trying to do that, but it's not always feasible since the police department is already shorthanded. Councilor Garcia-Miera said that there can't be any more time passing, something needs to be done now.

Administrator Avila said that one thing that people can do is participate in Neighborhood Watch programs, and further education and participation in the community to reduce trespassing in the arroyo.

Councilor Gagliano suggested to Chief Vigil that he could leave an ATV to pursue trespassers up at the fire substation, and coordinate with Rio Rancho police to be present on the Rio Rancho side when trespassers flee there.

Chief Vigil said that effort has been made in the past but was not successful because Rio Rancho officers are not always on ATVs. Mayor Gasteyer said that perhaps it could be discussed with Chief Boone again.

Councilor Alsbrook said that SSCAFCA should be very concerned with the problem and an Agreement should be expedited to allow Corrales police to cite trespassers.

Councilor Gerhart said that another important part of the Agreement would be fencing and signage on the arroyo.

Susan Weiss asked if it is necessary for people to take photographs of perpetrators? Administrator Avila answered that the purpose of neighborhood watch, it's a matter of getting as much presence and information as possible, and working with the police department to keep the communication flowing. Photographs are helpful, but no one should put themselves in danger.

Councilor Garcia-Miera said he would be happy to work with neighbors to form a neighborhood watch.

18. Discussion and consideration of Resolution 10-049. A resolution co-sponsoring the 7th Annual Christmas de Caballos Parade on November 21, 2010.

Steve Henry discussed the Corrales Horse and Mule People event. He stated the CHAMP sponsored ride will be lengthen this year. The staging area will be at the Corrales Corn Maze with the parade going south on Corrales Road to the Recreation

Center. The parade should take about one hour. A "moving detour" will be used to minimize disruption for Corrales Road travelers that Saturday afternoon.

Motion: Move to approve Resolution 10-049, **Action:** Approve, **Moved by** Councilor Clauser, **Seconded by** Councilor Alsobrook.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

7. Discussion and instruction to the Mayor regarding Intergovernmental Cooperative Management agreement among the City of Albuquerque, Village of Corrales, Sandoval County, and State of New Mexico.

Councilor Clauser said that the City of Albuquerque comes up with \$118,156 in order to keep Casa San Ysidro open, and our \$20,000 contribution is a lot smaller. The Museum is one of our only tourist attractions. She said that Casa San Ysidro Museum fulfills a number of goals discussed by the sustainability group that Councilor Garcia-Miera has put together.

Councilor Gagliano said that while he does not disagree, he is deeply concerned with budgeting issues.

Motion: Move to approve Intergovernmental Cooperative Management agreement among the City of Albuquerque, Village of Corrales, Sandoval County, and State of New Mexico for Casa San Ysidro, **Action:** Approve, **Moved by** Councilor Clauser, **Seconded by** Councilor Harper.

Councilor Garcia-Miera asked if the Village's \$20,000 contribution is already budgeted? Mayor Gasteyer answered in the affirmative.

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

No: Councilor Alsobrook.

8. Discussion and instruction to the Mayor regarding support for a New Mexico State Library LSTA E-Audio/E-Book Grant for Public Libraries

Library Director Carla Spencer discussed the grant. The grant requires that a consortium of New Mexico libraries are eligible to apply; Placitas and Jemez Springs are part of this grant. She discussed and answered questions how E-Audio and E-Books work regarding borrowing and returning. Ms. Spencer said that the matching contribution if the grant is awarded to Corrales will not come from the General Fund.

Motion: Move to support an application for a New Mexico State Library LSTA E-Audio/E-Book Grant for Public Libraries, **Action:** Approve, **Moved by** Councilor Clauser, **Seconded by** Councilor Gagliano.

Vote: Motion carried by unanimous vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

9. Discussion and consideration of Resolution 10-045, a resolution sponsoring, with Corrales Mainstreet, Inc., the Eighth Annual Corrales Starlight Parade

Mayor Gasteyer stated the Starlight Parade would be held on Saturday December 4. No discussion by the Governing Body.

Motion: To approved Resolution 10-045 co-sponsoring the with Corrales MainStreet the eighth Annual Corrales Starlight Parade. **Action:** Approve, Moved by Councilor Gagliano, Seconded by Councilor Clauser.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

Mayor Gasteyer requested a break, break taken at 8:34 pm.
Resumed meeting at 8:46pm.

10. Discussion and consideration of using existing Capital Outlay funds, from CID 09-3587 (roads and drainage), for Meadowlark Trail match

Village Administrator stated that the Meadowlark project was postponed last year due to not having the Village matching funds. There is a \$51,000 reauthorized capital outlay left over from the Loma Larga project that can be used for matching funds for the Meadowlark Trail joint project with Rio Rancho.

Mayor Gasteyer added that we will not have to go back to the legislators to have the funds redirected.

Motion: to use the Capital Outlay funds from CID 09-3587 as a match for the Meadowlark trail. **Action:** Approve, Moved by Councilor Gerhart, Seconded by Councilor Clauser.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

11. Discussion and consideration of Resolution 10-044, a resolution authorizing adjustments of various funds for Fiscal Year 2010-2011.

No discussion.

Motion: Moved to approve resolution 10-044. **Action:** Approve, Moved by Councilor Gerhart, Seconded by Councilor Harper.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

12. Discussion and consideration of Resolution 10-047, a resolution relating to the use of Village facilities; authorizing an administrative waiver of the usual requirement for user insurance under certain circumstances by non-profit groups providing support for recovering alcoholics and drug abusers; requiring that such groups submit applications for use of Village facilities and provide contact information; providing that authorization for use of Village facilities may be administratively revoked if the privilege is abused; providing for appeal to the Governing Body if a person or entity is aggrieved by an administrative decision.

Mayor Gasteyer stated the Village has a schedule of rental fees that are charged for various Village facilities. As part of the rental agreement liability insurance is required for rental of these facilities. The cost of the insurance requirements is extremely difficult for the Alcoholic Anonymous groups.

Village attorney John Appel stated the as resolution drafted gives limited authority to the Village Administration to waive the insurance requirement for AA and drug rehabilitation organizations.

Motion: move to approve Resolution 10-047, Action: Approve, Moved by Councilor Gagliano, Seconded by Councilor Clauser.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

13. Discussion of MRCOG meeting regarding river crossing strategies.

Councilor Gagliano stated he attended the Bernalillo meeting. One of the comments made was that the only place that makes sense for crossing to be is south of the Alameda bridge.

Councilor Gerhart stated she attended the Albuquerque meeting. Terry Doyle, MRCOG's Transportation Director, made a point of saying that no new river crossings are proposed in his plan. The presentation included 5 strategies:

- To add additional capacity to the crossing they currently have
- To consider HOV and HOT(High Occupancy Tolls)
- Changing Land Use policies
- Transit investments
- Operational improvements

Dick Foote stated that MRCOG is the planner of transportation and has no authority in land use, but land use has a great impact on transportation needs of the area.

Councilor Alsobrook requested the Council move to Item number 17 since a number of citizens had been waiting to testify on that item; Mayor Gasteyer agreed.

17. Discussion on policy for distribution of funds and prioritization for non-profit organizations performing services directly benefiting the Village of Corrales.

Councilor Alsobrook stated there have been two non-profit organizations which provide services to the Village and we have not had a discussion how to balance all the various demands of the services provided.

Mayor Gasteyer stated the Village operates on a lot of volunteer energy, such as the Kiwanis, Corrales Tractor Club, Society of Artists, Historical Society, Compadres. He noted that MainStreet is a volunteer organization which is set up by State law to provide economic development and municipal partnership is dictated by statute. Councilors Alsobrook and Gagliano said that the Companion Animal Rescue and Mutual Assistance (CARMA) group not only provided volunteer assistance to the Village's animal control activities but did so in a quantifiable way, since the Village was relieved of costs for storage and euthanizing.

Marta Webber stated if CARMA stops taking in animals the Village will have to take financial responsibility for each animal that is euthanized (\$137). In the past 10 years CARMA has rescued and placed 3,500 animals.

Councilor Harper suggested that CARMA come to the Council with the first stage of the long term solution to the problem.

Discussion ensued on funding options from various entities, and specific support requests from CARMA. Bill Woldman said that the government's Infrastructure Capital Improvements Plan does not mention an animal shelter, though most foundation funders would insist on local government support for a non-profit proposal.

Councilor Alsobrook stated that this discussion has covered a lot of ground, but his original intent was to talk about what comes out of the general fund to support various groups that provide services. He suggested a work study.

John Appel stated the issue that needs to be addressed is what does the Village need in terms of goods and services as expressed in the Code of Ordinances and how do we get there consistent with the procurement code and not in violation of the anti-donation clause.

Councilor Alsobrook observed that the Governing Body needs some way before Budget time to set priorities in a proportionate way.

14. Discussion and consideration of Loan Resolution 10-048, for Public Facilities and Public Safety Solar Power Project.

Village Administrator John Avila stated this was the first step for possibly borrowing money.

Councilor Gagliano suggested borrowing a smaller amount for a shorter time period. John Avila stated that the Village is in line with the USDA for a certain amount for a loan that will go away at the end of the year. The flexibility of the funds is that you have a year to start making payments; we do not have to use all the funds. We need the resolution to proceed, and then we need an ordinance which will allow us to borrow the money.

Councilor Garcia-Miera stated the numbers do not make sense in terms of a 40-year loan. We should find other alternatives for funding the project that will not encumber the Village.

Councilor Gagliano stated that financially this is a burden, after 20 years we will still be paying for the loan with the possibility of having outdated equipment.

John Appel stated that there were advantages and disadvantages to this type of loan. A USDA loan is defeasible and can be paid off at any time if you chose to do so. With a tax exempt bond you cannot exceed the useful life of the project, but this is permitted with a USDA loan. By adopting this resolution you are not committing to any amount. In effect, you are drawing down as is possible with a line of credit.

Councilor Gerhart that she does not see what we have to lose by adopting the resolution. She is not ready to pull the plug on the project right away, she does not want to enter into a 40-year debt obligation but, by turning down the resolution we are making a decision that we are not doing the project.

Dick Foote asked to be recognized and said that the Council must remember that it has other projects which need borrowing such as the NMFA loan for the Far Northwest Infrastructure. Administrator Avila said he was still working on the interconnectivity agreement with PNM which would determine when the Village would get in the queue for Renewable Energy Credits.

Motion: to reject 10-048, **Action:** Approve, **Moved by** Councilor Garcia-Miera, **Seconded by** Councilor Gagliano.

Vote: Motion tie (summary: Yes = 3, No = 3, Abstain = 0).

Yes: Councilor Alsobrook, Councilor Gagliano, Councilor Garcia-Miera.

No: Councilor Gerhart, Councilor Harper, Councilor Clauser

Mayor voted No to break the tie.

Vote: Motion failed (summary: Yes = 4, No = 3,

Motion: to approve 10-048, **Action:** Approve, **Moved by** Councilor Harper, **Seconded by** Councilor Gerhart.

Vote: Motion failed (summary: Yes = 2, No = 4, Abstain = 0).

No: Councilor Alsobrook, Councilor Gagliano, Councilor Garcia-Miera, Councilor Clauser

Yes: Councilor Gerhart, Councilor Harper

16. Discussion consideration of Resolution 10-046, a resolution by Village Councilors authorizing and mandating a temporary hiring freeze on the hiring of any and all new Village employees, following the date of this resolution.

Motion: to adopt Resolution 10-046 with addition of "That the Village of Corrales will not hire any salaried or hourly personnel, excluding seasonal workers", **Action:** Approve, **Moved by** Councilor Garcia-Miera, **Seconded by** Councilor Gagliano.

Councilor Harper noted there were no exclusions. If a key employee left or needed to be replaced would another resolution be needed to hire? He stated that a hiring freeze is not needed.

Dick Foote stated that the Council has no higher responsibility than the public safety of the citizens of Corrales. If something was to happen and we lost some employees we would be hurting with an absolute freeze. He suggested to not include the police and fire on the hiring freeze.

Councilor Garcia-Miera stated he is not buying the scare safety thing; the hiring freeze is the right thing to do.

Mayor Gasteyer said that he always brings to the Council any new hire for decision. He asked Attorney Appel if it's in Village Ordinance that he needs to do that? Attorney Appel said that in State Statute, it is stated that under a Mayor/Council form of government, appointments of Village employees are made by the Mayor subject to approval by Council at the next regularly scheduled Council meeting, and that is why it has been practiced. However, Attorney Appel said that as counsel for the Village, it is his opinion that strictly speaking, that is not necessary because there is a Village Code that includes a very specific set of personnel regulations establishing a merit system for the employment of regular Village employees. Mayor Gasteyer said that the mechanism exists for the Council to reject a new hire. There are positions in the Village that are needed and would be very difficult to do without because there is no backup for them, especially positions that generate funds for the Village, such as the Building Inspector and DEA Task Force Officer.

Councilor Harper said that if this resolution was about prohibiting creating new positions to help balance the budget, he might support it. But he has been in the Village long enough to see departments struggle because of lack of employees and would hate to see that happen again.

Councilor Alsobrook said that public safety issues are important, but this resolution sunsets in less than nine months. If the need arose to hire someone, it would only take a resolution to allow it. With regard to the Mayor's comments that the Council could disapprove a new hire, he thinks it would be wrong to make someone go through the hiring process only to be disapproved by the Council for budgetary reasons.

Councilor Gerhart said the budget is important, but it's not like the Village has a staff of hundreds where a hiring freeze could make a difference. She noted that what this resolution does is shut down the swimming pool for the year because lifeguards wouldn't be allowed to be hired.

Councilor Alsobrook asked Councilors Garcia-Miera and Gagliano (as maker and seconder) if they would accept a friendly amendment to exclude seasonal workers? They agreed and the language of the resolution was changed accordingly.

Vote: Motion passed (summary: Yes = 4, No = 2, Abstain = 0).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera.

No: Councilor Gerhart, Councilor Harper.

XIII. ADJOURNMENT:

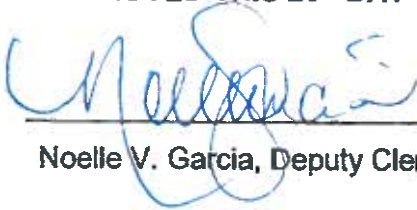
Motion: Move to adjourn, **Action:** Adjourn, **Moved by** Councilor Gerhart, **Seconded by** Councilor Gagliano.

Vote: Motion carried by unanimous vote (**summary:** Yes = 6).

Yes: Councilor Alsobrook, Councilor Clauser, Councilor Gagliano, Councilor Garcia-Miera, Councilor Gerhart, Councilor Harper.

BEING NO FURTHER BUSINESS TO COME BEFORE THE GOVERNING BODY, THE MEETING ADJOURNED AT 11:04 PM.

APPROVED THIS 26th DAY OF OCTOBER, 2010.



Noelle V. Garcia, Deputy Clerk