



VILLAGE OF CORRALES  
GOVERNING BODY  
REGULAR MEETING  
**MINUTES**

October 26, 2010  
6:30 p.m.

COUNCIL/MUNICIPAL COURT CHAMBERS

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**Governing Body present:**

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

**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**

Mayor Gasteyer suggested moving item number 17 to between number 8 and 9.

**Motion:** Move to approve the Agenda moving number 17 to in between number 8 and 9,

**Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Gagliano.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser.

**III. APPROVAL OF MINUTES**

**1. October 12, 2010 Council Minutes**

Councilor Gerhart said the sentence on line 569 should begin "She is not ready..." instead of "She is ready..."

Dick Foote said that on line 56, the minutes should say "MainStreet Treasurer", not "Capital Improvements Advisory Committee Chair", as he was in attendance at the workstudy in his capacity as MainStreet Treasurer.

**Motion:** Move to approve the minutes of October 12, 2010 as amended, **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Gagliano.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser

#### **IV. ANNOUNCEMENTS**

Mayor Gasteyer announced the following:

- Compliments to Bonnie Gonzales and the Farmland Preservation Committee for their work on the Village owned Gonzales property, which is now harvesting;
- All are encouraged to vote on November 2, 2010. Early voting takes place in the Sandoval County Warehouse, Meadowlark Senior Center, and Rio Rancho City Hall. There are five voting locations in Corrales on Election Day: Precinct 11 at the Senior Center, Precinct 12 at the Rec Center, Precinct 13 at Hendren Hall at San Ysidro Church, Precinct 53 is at the Fire Substation, Precinct 54 is at Sandia View Elementary School and Precinct 57 is at the Rec Center.
- The Governing Body decided to cancel the second meeting of November, and reschedule the regular meetings in December to December 7 and 21.
- Saturday, November 13 is a "clean-up" day. Residents of Corrales can get rid of items such as appliances and batteries at the Recycling Center. The event will run from 8:00 am – 1:00 pm;
- Mayor Gasteyer received a report from the Census Bureau on mail response. The report rate for Corrales was 62%, not surprising because many citizens use post office boxes which did not, under Census procedures, receive response forms;
- Mayor Gasteyer gave a big thanks to the Bosque Commission and the Fire Volunteers that have been working in the bosque since the fire in May;
- Mayor Gasteyer gave kudos to the Police Department for their recent capture of one of the 10 most wanted criminals in Albuquerque. The capture followed a vehicle and foot pursuit.
- Mayor Gasteyer discussed political signs. The sign ordinance says no signs up before 25 days before the election, however, if it's on private property the Village will not remove it. If it's on the MRGCD ditch bank, the Village will not remove them unless specifically directed by the MRGCD. Candidates and supporters can retrieve signs pulled from the public roads near the dumpster behind the Police Department.

#### **V. PETITIONS**

N/A

**VI. COMMUNICATIONS**

**2. Administrator's Report**

Administrator Avila discussed his written report (see attached).

**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.**

No discussion

**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.**

Sandy Gold requested that Cadillo Road and Coronado Road be swept. Also, she said that a locked fence was placed on Hansen Road, blocking access to Corrales Road. She would like the Village to take action on this.

**IX. CONSENT AGENDA:**

**3. Reports from Boards, Commissions, and Department Head Personnel**

No discussion

**Motion:** Move to accept the Consent Agenda, **Action:** Accept, **Moved by** Councilor Gerhart, **Seconded by** Councilor Alsobrook.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser.

**X. CONFIRMATION OF PERSONNEL RECOMMENDATION:**

**4. N/A**

**XI. CONFIRMATION OF APPOINTMENTS**

**5. Steve Kuenzler for Safe Routes to School Team**

**Motion:** Move to approve Steve Kuenzler to the Safe Routes to School Team, **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Harper.

**Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser.

**XII. OLD BUSINESS:**

**XIII. NEW BUSINESS:**

**6. FUTURE AGENDA ITEMS**

- A connection agreement with ABCWUA to accept wastewater from the Village;
- Second Reading of Ordinance 10-010, if subsequently published and posted this evening;
- Petition for paving of Laura Lane and Perea Road from the residents of Laura Lane;
- There are several "clean up" ordinances from the Planning and Zoning Commission. One has to do with changes in the subdivision ordinance, one has to do with storm water retention, and another has to do with the height of utility poles. There might be one in the Building Vode allowing the building inspector not to issue a Certificate of Occupancy until all fees are paid;
- Quarterly budget review.
- There are several potential work studies that need to be scheduled: One with the Parks and Rec Commission discussing fees; one suggested by Councilor Alsobrook regarding Village spending for services provided by non-profit organizations; The work study with Parks and Rec Commission was scheduled for November 9 at 6:00 pm prior to the regular scheduled meeting. The non-profit services work study was scheduled for December 7 at 6:00 pm prior to the regular scheduled meeting.

**7. Discussion and consideration of Resolution 10-053, a resolution adopting amended Permit Fees for processing applications relating to zoning and platting subdivisions.**

Planning and Zoning Administrator Cyndie Tidwell discussed the proposed fees versus the current fees. She said the proposed fees are realistic to actual costs and cover the costs of Village services.

Mayor Gasteyer clarified with the Village Attorney that given the absence of Councilor Clauser, 4 affirmative votes are needed to approve a resolution.

**Motion:** Move to move Resolution 10-053 adopting amended permit fees for processing applications relating to zoning and platting subdivisions, **Action:** Approve, **Moved by** Councilor Gagliano, **Seconded by** Councilor Garcia-Miera.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser.

**8. Discussion and consideration of Resolution 10-051 to permit the hiring of a Corrales Police Officer for assignment to the Drug Enforcement Administration, thereby qualifying the Village for DEA-funding for departmental operations.**

Mayor Gasteyer said this would be an exception to the hiring freeze resolution that was passed last meeting. He said the Corrales Police Department has been participating in the DEA program for 18 years. He explained how participation in the program benefits the Village budget. He said that in the last 5 years, the Village has obtained over \$500,000 from confiscated property and forfeitures. The cost of a DEA Officer hired by the Village would be around \$65,000 a year, including benefits.

Councilor Gagliano asked if the DEA Task Force fund pays the salary of the officer? Mayor Gasteyer said no, the salary comes from the Village General Fund. The DEA money pays for things such as the DARE program, overtime for special events, Neighborhood Watch, training and certification, equipment, vehicles and vehicle maintenance, computers, weapons and ammunition. Mayor Gasteyer explained that in the course of approving the budget, 16 police slots were approved but one slot is now vacant.

Dick Foote said this is a very important function. In the budget process, the number of police officers has already been cut. There have been an increase in burglaries. In past years, burglaries have increased when the Police Department was short officers. Even though this officer is a drug task force officer, the Village still benefits. The DEA funding has paid for police cars, which would have come from the General Fund if the funding was not available. Councilor Gagliano asked where Mr. Foote heard that burglaries are increasing? Mr. Foote gave an example of a recent burglary in his neighborhood.

**Motion:** Move to approve Resolution 10-051, **Action:** Approve, **Moved by** Councilor Harper, **Seconded by** Councilor Gerhart.

Councilor Garcia-Miera asked if this position would bring in more money to the Village? Mayor Gasteyer said that he can't say that it will every year because the confiscations and forfeitures are sporadic, but in the past, it certainly has.

Councilor Alsobrook said that he doesn't think drug use is going to decrease any time soon.

Councilor Garcia-Miera said that there was a hiring freeze passed. He's not saying he's against this because he understands the potential financial gain the Village has, but he doesn't want to start a slippery slope. The Village is having a budget problem and the decision the Council has made to enact a hiring freeze has to be respected.

Councilor Harper said that this is not a slippery slope. The Mayor said that this slot has already been budgeted and is not a new position.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser.

**17. Discussion and consideration of Resolution 10-054, a resolution to accept a grant from the New Mexico Youth Conservation Corps and permit the hiring of six employees to fulfill the conditions of the grant.**

Mayor Gasteyer said that although this resolution also affects the hiring freeze, there would be a grant to pick up the costs.

Bonnie Gonzales from the Farmland Preservation Committee said this is an opportunity to employ youth in Corrales, and capitalize on the farmland that the Village owns.

Mayor Gasteyer pointed out that in the third "Whereas", the date of hiring is January 2011, but the date won't actually be until April.

Councilor Gagliano asked if there was an encumbrance on the Village for these youth workers and materials? Administrator Avila answered no. Councilor Gerhart said supplies and materials are part of the grant.

Ron Reder wondered about liability coverage for the workers? Administrator Avila said that insurance is covered by in-kind costs.

Councilor Gerhart said she would distribute the grant budget to the Council to show that there is no net impact on the Village budget.

**Motion:** Move to approve Resolution 10-054 to accept a grant from the New Mexico Youth Conservation Corps and permit the hiring of six employees to fulfill the conditions of the grant, **Action:** Approve, **Moved by** Councilor Harper, **Seconded by** Councilor Alsobrook.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5).

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

**Absent:** Councilor Clauser.

**9. Discussion and consideration of Resolution 10-052, a resolution authorizing adjustments of various funds for fiscal year 2010-2011, including adjustments in property tax revenues in accord with information received from the Department of Finance and Administration.**

Mayor Gasteyer explained the budget adjustment resolution. He explained that due to an error by the Department of Finance and Administration, the debt levy rate for the Village will actually be .627 instead of the 1.059 originally communicated to the Mayor with corresponding changes in the anticipated property tax revenues appearing in the Budget.

**Motion:** Move to approve Resolution 10-052, **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Gagliano.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5).

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

**Absent:** Councilor Clauser

**10. Presentation for comment by the Council and the public of two drainage plans (Escarpment and Westside) affecting the Village of Corrales from David Stoliker, SSCAFCA Executive Engineer and Clint Dodge, P.E., WH Pacific.**

David Stoliker and Clint Dodge of the Southern Sandoval Arroyo and Flood Control Authority explained the Westside Drainage Plan. Mayor Gasteyer said that the Plan can't overstate what Village ordinance says regarding storm water drainage and controls. Also, it says that the Main Canal might be utilized to accept storm water, and the Village has received nothing but negative comments from the MRGCD on such proposals in the past.

Mr. Dodge described how the Plan captures water when it reaches the public right of way and, with on-lot retention, contains rainfall property by property. Mr. Stoliker says that the Plan calls for a lot purchase on the Colburn acreage to prevent wash out of a pipe; he said the next SSCAFCA bond might provide funds to include this purchase.

Clint Dodge discussed the Escarpment Drainage Plan. Mr. Stoliker said that a pond on the Rio Rancho side has improved the situation with the unnamed arroyo which crosses Loma del Oro. Work is also planned on the Losack property on the fence line.

Ron Reder said that when he read the report, he was disappointed that there was an option presented for local drainage infrastructure. He thought there were some inconsistencies that inflated the cost values. Page one of the report says "additionally, water quality facilities will be required but have not been identified, nor the cost estimated," which renders that whole part of the report that talks about the alternative useless. With regard to the on-lot retention, it requires that all properties retain all the precipitation on the site. While ideal, the plan doesn't require that of unimproved properties, nor does it provide for the likelihood that all developed properties will have on-site retention facilities. The plan doesn't consider the need for some local drainage infrastructure. The cost estimates are probably on the low side. There was really only one alternative presented by SSCAFCA and that is on-lot retention.

**11. Presentations by John Archuleta and Mark Valenzuela of George K. Baum & Co. and discussion regarding access to credit, factors to be considered, and borrowing capacity of the Village.**

John Archuleta from George K. Baum and Co. distributed and reviewed a presentation (see attached). He said that the Villages' bond capacity was \$14.6 million of which \$1.46 million was debt currently outstanding. He described how the Village's bond rating was upgraded to A-1 in 2008. On the NMFA borrowing for Far Northwest Sector infrastructure, Mr. Archuleta explained the debt service reserve and its function and the pledge of the State-shared GRT provided as collateral. He also discussed the "sponge bond" process used by the State and large municipalities but did not recommend it for the Village. In response to the Mayor, Mr. Archuleta observed that a 4% rate on a 40-year USDA loan seemed higher than market conditions currently, though the loans call-at-any-time feature is the reason for such a rate.

**12. Discussion and instruction to the Mayor regarding pursuit of alternative energy improvements for Village-owned facilities.**

Councilor Garcia-Miera said that he is for the concept of green energy. The problem is funding and how the Village can pay for it.

Councilor Gagliano said that at the last meeting, Peter Page gave some alternatives. He would like to explore the other opportunities. He doesn't think the loan plan that was presented is affordable to the Village.

Councilor Alsobrook said it's a desirable goal, but it's just not the right time for the Village. He suggested perhaps trying to find a donation from a solar manufacturer.

Councilor Harper said that there is no way to know what utility costs will be in 5 years. The prices will go up, but we can't predict how much. The other thing that we haven't done is a request for proposal from private vendors to see what they could offer. The other problem is that the time to enter into the solar program through PNM is closing.

Councilor Gerhart said that she concurs that we need to get into PNM's queue.

In response to Councilor Gagliano, Administrator Avila said that the Village is in PNM's queue as of today.

Councilor Alsobrook wondered if there was any way to go to Senators Bingaman and Udall and ask for alternatives given that the Village can't afford the loan?

Dr. Jim Fahey said that this is just one proposal. There can be other proposals. He discussed maintenance on solar panels. He also said that the Village could look at putting panels on critical places or mount them to the ground. He advised that the Village take the loan as offered, get the project completed, then refinance if needed with a less expensive G.O. borrowing.

**Motion:** The Village of Corrales is committed to pursue solar applications for Village-owned facilities and the Administrator should draft for Council review a Request for Proposal for solar improvements which would provide a reduction in budgeted utility expenses in a ten-year time frame, **Action:** Approve, **Moved by** Councilor Harper, **Seconded by** Councilor Gagliano.

**Vote:** Motion carried by unanimous vote (summary: Yes = 5).

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

**Absent:** Councilor Clauser.

**13. Discussion and consideration of Resolution 10-050, a resolution required of Public Bodies wishing to borrow from the USDA, as part of financing for a solar-power project for Village facilities.**

Mayor Gasteyer explained that passage of this Resolution would keep the Village in the sequence for the USDA loan. Administrator Avila explained that if the resolution was passed, an ordinance (along with the standard three readings) would need to follow.

Councilor Harper said he thinks there is no harm in pursuing the loan application knowing that the Village can reject the loan.

Councilor Alsobrook said that we don't have enough data to know what the real world costs would be.

Councilor Garcia-Miera said that it doesn't make sense to get into debt about something we're not sure we're buying. There are other types of financing the Village can pursue.

Councilor Gagliano said that he thinks it's disingenuous to USDA to continue with this loan application if the Village has no intention of getting the loan.

Councilor Gerhart said that this is just an arrow in the quiver, and until the whole picture is clear, she is reluctant to let go of the loan application because it is a tool.

**Motion:** Move to approve Resolution 10-050, **Action:** Approve, **Moved by** Councilor Harper, **Seconded by** Councilor Gerhart.

Councilor Harper said that he would like to see the application go through if an adequate RFP is found and accepted. He sees the passage of this resolution as harmless.

Councilor Alsobrook asked what is the consequence if the Village pursues the loan application but never borrows? Attorney Appel said there is no fiscal consequence, but the political consequence is that the Village will not look good if they wish to seek USDA funding in the future.

Councilor Gagliano said he doesn't want this to be the only vehicle simply because the Council likes the project.

**Vote:** Motion failed (summary: Yes = 3, No = 2, Abstain = 0).  
**Yes:** Councilor Harper, Councilor Gerhart, Councilor Alsobrook.  
**No:** Councilor Garcia-Miera, Councilor Gagliano.  
**Absent:** Councilor Clauser.

#### **14. Discussion of a Cooperative Maintenance Agreement with the NMDOT for litter pickup, weed removal and mowing on NM 448 (Corrales Road).**

Mayor Gasteyer said that this is only a draft agreement and includes language to include weed removal and litter pick-up, which the Village doesn't really want to commit to. The Agreement should only include minor maintenance, mowing and removal of obstructions. Mayor Gasteyer also noted that the Agreement refers to "contract personnel" and that because the Village does not have contract personnel, the word "contract" should be deleted. Attorney Appel concurred.

Dick Foote said that several years ago, the Village had an agreement with DOT for picking up trash along Corrales Road. He wondered if DOT now wants the Village to take over that function with contracting with non-profits to do it?

Administrator Avila said the intent of this agreement is not to take over DOT's work, but rather, give authority to the Village's Public Works Department to do minor work on Corrales Road if it's needed without waiting for DOT to respond.

Because the Agreement is on the agenda as a discussion item only, there was no action taken. The Mayor promised to include an action item on the next agenda.

**15. Discussion of establishment of a Subcommittee, consisting of the Mayor and two Councilors, to propose an Investments Policy for approval by the Governing Body, and to meet periodically to administer funds invested on behalf of the Village.**

The Mayor asked for feedback on the idea of establishing a subcommittee. The idea was received positively. He said the next agenda would include a Resolution to adopt this idea.

**16. Discussion and consideration to publish and post Ordinance 10-010, an ordinance amending Section 28-231. Paid Holidays, of the Code of Ordinances, Village of Corrales, adopted March 9, 1993, providing that the Holiday Schedule shall be set annually by resolution of the Governing Body.**

**Motion:** Move to publish and post 10-010, **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Harper.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser

#### **XIV. ADJOURNMENT:**

**Motion:** Adjourn, **Action:** Adjourn, **Moved by** Councilor Gerhart, **Seconded by** Councilor Alsobrook.

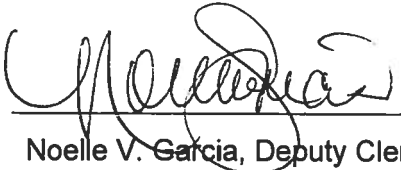
**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

**Absent:** Councilor Clauser.

**BEING NO FURTHER BUSINESS TO COME BEFORE THE GOVERNING BODY, THE MEETING ADJOURNED AT 9:57 PM.**

**APPROVED THIS 9<sup>th</sup> DAY OF NOVEMBER, 2010.**

  
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Noelle V. Garcia, Deputy Clerk