



VILLAGE OF CORRALES
GOVERNING BODY
REGULAR MEETING

MINUTES

November 9, 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 6:37 pm and led the Pledge Allegiance in both English and Spanish (Juramento de Fidelidad).

II. APPROVAL OF AGENDA

Motion: Move to approve the Agenda, **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.

III. APPROVAL OF MINUTES

1. October 26, 2010 Council Minutes

Motion: Move to approve the minutes of October 26, 2010, **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Gagliano.

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

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

Abstain: Councilor Clauser, who was absent at the last meeting.

IV. ANNOUNCEMENTS

Mayor Gasteyer announced the following:

- On Wednesday, November 10, 2010, SSCAFCA will have a rainwater harvesting program at 10:00 am;
- There will be a dedication for the improved 911 Dispatch Center in Rio Rancho which the Village uses along with our neighboring communities;
- Thursday, November 11 is Veteran's Day and the Village offices will be closed. There will be Veterans events in Albuquerque and Rio Rancho;
- On Saturday, there will be a Village Clean-Up Day. The Recycling Center will open at 8:00 am until 1:00 pm. They will take electronics, old appliances, and there will be a chipper there for yard waste.
- On Saturday, November 20, ARCA will have its poinsettia sale.
- The Christmas de Caballos Parade will be on Sunday, November 21;
- There will not be a regular Council meeting on Tuesday, November 23;
- Thursday, November 25 is Thanksgiving. The Village offices will be closed on November 25 and 26;
- The next regular meeting is on December 7, 2010 and will be preceded at 6:00 by a workstudy on services provided to the Village by non-profit organizations;
- There will be no meeting on December 14. The final regular meeting of the year will be Tuesday, December 21;
- Village offices will be closed on December 24 for the Christmas holiday.

V. PETITIONS

The Mayor reminded all that the Governing Body does not discuss or make a decision on these petitions tonight. The next step for the petitioners is to get a member of the Governing Body to ask for an action item on a subsequent agenda.

Petition to pave Laura Lane and Perea Road in Corrales

Engineer David Soule said that Mr. Jack Vigil hired him to do some drawings for an 18-foot roadway section to his home and lots he owns off of Perea Road. Mr. Vigil does have legal access on that road and is proposing an 18-foot wide, 3-inch deep paved roadway with a small shoulder on each side centered on the easement or right-of-way all the way back to his property. Six French drains would need to be constructed. He stressed that this is a task that Mr. Vigil will be paying for himself.

Mayor Gasteyer asked if it was public right-of-way? Mr. Soule said some is private and some is public. Mayor Gasteyer asked if the paving would stop at Mr. Vigil's driveway on Laura Lane or would it continue for the remainder? Mr. Soule showed the Mayor a map of the planned paving.

Councilor Alsobrook wanted clarification of the language of the petition: Is the private road after paving being donated to the Village or is the paving of the public portion being donated? Mr. Soule said that the private right-of-way will be donated to the Village.

Mr. Soule presented a map of the area (see attached).

Attorney Appel reminded the Governing Body that this agenda item is for a presentation of a petition only, and he is uncomfortable with the extent of discussion at this point. He pointed out that there is nothing prohibiting the Village from accepting a donation provided that the donation itself is in conformity with the rules, regulations and ordinances of the Village. In this case, where there is a proposal to donate a paved road-way within public right of way, then it would have to be consistent with the standards of the Village code.

Councilor Gagliano asked if the culvert structure crossing the acequia will be able to support the additional weight of the road? Mr. Soule said that he did not study that. Typically, he would look at the existing cover that is on that acequia and make sure it is the appropriate thickness. The additional weight of the asphalt will not have a negative effect on the culvert section. The main effect is during construction when the paving equipment crossing the acequia is much heavier. The asphalt should distribute the weight better over time.

Opposition to Petition requesting to pave Laura Lane and Perea Road in Corrales

Matt Davidson spoke against the paving of Laura Lane. He expressed concern with speed issues on Perea Road, and the possibility of increased speeding if the road is paved. He said that paving the road will cause a blind turn and will cause confusion and cause people to lose control. There are residents on Perea Road whose fence lines have been taken out by drivers losing control as they speed over the ditch. He said that there are approximately 12 kids and 14 horses that use that road, and paving is a horrible surface for horses. This portion of Perea Road also seems to be the culmination of a major Safe Routes to School route, which would put many kids at risk with the potential increased speed on a paved road. He said that one resident of the neighborhood wants the road paved, but every other resident that is affected is opposed to it.

Tessa Davidson spoke against the paving of Laura Lane. She said the section of the easement through Laura Lane is through her property. She said that she's an attorney, and from her position, paving the road over burdens the easement that was granted for access. She disagreed from a legal standpoint that Mr. Vigil has the authority to pave the easement. She asked the Governing Body to not take this petition any further.

Paul Jaeger said that he is against the paving. He said he often sits on his porch looking down Perea Road. There are many children, horses, pedestrians and dogs in the area, particularly in the summer. Also, somebody coming west on Perea Road at a high rate of speed and not able to slow down would come right into his driveway. Anything that could be done, including not paving that road, to stop the speeding on that road should be done.

Pat Dubois, a resident of Perea Road, said she walks her child to school on that road everyday, along with many other families. She said that people already drive that road too fast. She also mentioned that the road will have to be closed for several days to install the paving, and she has a home-based business; closing the road would impact her business.

Stephanie Jaeger said that she is concerned that Mr. Vigil might do the paving without permission.

Carrie Murray said that her son uses the acequia and Perea Road everyday to ride his bike or walk to school. She said that Mr. Vigil's proposal might be presented as generous, but it only benefits him. She said that the proposal to pave is contrary to the common good. Cars will be speeding down the road if it is paved and will be a risk to children.

VI. COMMUNICATIONS

2. Administrator's Report

Village Administrator John Avila reviewed his report (see attached).

Councilor Clauser asked Administrator Avila about the Transportation Coordinating Committee and the Scenic Byway application? She said the Village has had a Scenic Byway for a long time and wondered what precipitated this and what does it mean? Administrator Avila said that there is an opportunity for another grant. We didn't get it last year when we submitted. There is new funding available, and so it was submitted once again by MainStreet. They also want to develop the corridor plan. They want help with that, as well as what was there last year about historic buildings. Mayor Gasteyer added that as part of the procedures for screening applications for Scenic Byway grants, the Appropriate Committee of the Regional Council of Governments is supposed to review and notify the Scenic Byways office in Santa Fe that they're in favor of it. Councilor Clauser said she is in favor of the Village being a Scenic Byway, and she gathers that 4th Street is a National Scenic Byway and Casa San Ysidro has been offered an opportunity to be one of the places on that National Scenic Byway. Councilor Gerhart said that in the Corridor Management Plan completed in the mid-1990's, Casa San Ysidro is called out as one of the intrinsic qualities of the Corrales Road Scenic Byway, so it is an important element.

Councilor Gagliano asked about the possible Veterans Park on SSCAFCA property mentioned in Administrator Avila's report and wondered where those locations might be? Administrator Avila said that there were two properties that SSCAFCA had mentioned they could share with the Village for possible park areas: one is across the bridge near the fire substation and the other is near the top of Hollywood on a mesa by the Thompson Fence Line. The Parks and Rec Commission recommended that the Village take a look at the substation as an area for the park as it has more parking, and has land that can't be built on, and it helps the northwest area of the Village.

Mayor Gasteyer said he was pleased to get the report of the meeting of the residents of the Camino de La Tierra neighborhood concerned about Montoyas Arroyo and he thought it was a good idea to develop something parallel to our Bosque Ordinance aimed at preserving the arroyo, which would give a tool for the Police Department to use in enforcing more acceptable behavior in there.

Councilor Garcia-Miera complimented the Police Department and said Detective Brandy McConnell came out with the ATV and did a tour of the arroyo. He said there will be an

organizational meeting for the Camino de La Tierra Neighborhood Watch at his house on November 18.

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.

Mayor Gasteyer said that the Bureau of Reclamation, in cooperation with Sandia Pueblo, has begun an extensive project on an island in the river in which they are digging channels to encourage silvery minnows to increase in numbers. There is a huge piece of machinery parked out at that river and various biologists going back and forth on air boats. The disturbing thing is that neither the Administration or Mayor, nor the Bosque Advisory Commission had any kind of "heads up." The Mayor called the Corps of Engineers who were aware of the project but did not know it was beginning now. He also contacted the Bureau of Reclamation.

Councilor Clauser said that the EPA has published a report of their investigation conducted last December of Intel. They do have concerns with Intel's emissions.

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.

No discussion

IX. CONFIRMATION OF PERSONNEL RECOMMENDATION:

3. N/A

X. CONFIRMATION OF APPOINTMENTS

**4. Susan Philpott for Equestrian Advisory Board
Nancy Nelson for Equestrian Advisory Board**

Motion: Move to approve Nancy Nelson and Susan Philpott to the Equestrian Advisory Board, **Action:** Approve, **Moved by** Councilor Gagliano, **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.

XI. OLD BUSINESS:

5. Budget review for Fiscal 2010-2011, first quarter.

Finance Officer Terri Gray introduced the First Quarter Budget Review. She noted that the gross receipt's tax revenue for the first quarter is recognized as 25% and the amount that has come in is 24% of the budget, which is \$589,692.29.

Mayor Gasteyer noted that on line item 33400, it is labeled as "Business" and should say "Business Licenses/Registrations" and line item 33401 should read "Business License/Registration Late Fees."

Chris Allen asked about the General Fund, Dept 0100 Executive, Line Item 41010 Elected Officials, which is budgeted for \$10,000. She wondered why that budget has reached 42% in the first quarter? Mayor Gasteyer explained that at the start of the fiscal year, several members of the Governing Body indicated that they wished to donate back to the Village a portion of their pay. In preparing the budget back in May, he made a guess of what the elected official's total amount would be and he underestimated. She also noted that cigarette tax was removed but there is \$32.12 in the budget. Ms. Gray said those are year-to-year spillover calculations from DFA. Ms. Allen said that she has been concerned with the closing of the Chevron gas station because in the past, the tax collected from the gas station was used for matching funds for co-op money. She wondered if the Village is now receiving co-op money and if so, how is it being matched? Ms. Gray answered that the co-op money is coming in and matching funds is coming from the General Fund. Ms. Allen said that she was concerned that transportation costs would increase and that concern is evidenced now in the quarterly review. Councilor Alsobrook noted that the next gas station is only two miles away, so an increase in transportation funds doesn't make sense. Administrator Avila said an explanation could be that the discount that the Village received from Chevron is no longer available.

6. 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 Ordinance 10-010, **Action:** Approve, **Moved by** Councilor Alsobrook, **Seconded by** Councilor Gagliano.

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 consideration of Resolution 10-056, a resolution to establish an Investments Board consisting of the Mayor and two Councilors to manage fixed income investments on behalf of the Village government, with periodic reports to the governing Body.

Councilor Gerhart said that in the Resolution states that the Investment Board subcommittee shall report periodically. She wondered how often that will be? Mayor Gasteyer said that they would report probably when there are changes made and around budget time.

Attorney Appel said that the Village Code of Ordinances states that the only standing committee of the Governing Body will be the committee of the whole. So, the Investments Board Committee does need to have a timetable and suggested that this committee be created by ordinance, thereby amending the Code of Ordinances, or that this committee be created for a finite term of years, thereby establishing that it is not a standing committee. The Mayor asked if the term could be until the next Mayoral election? Attorney Appel answered in the affirmative. Councilor Alsbrook favored the idea of adopting the committee by ordinance, and felt the committee should be an ongoing one.

Attorney Appel suggested that the Governing Body could pass this resolution with a one year termination date. That would give the Council time to come forward with an ordinance that would make the committee permanent if it seems to be working.

Motion: Move to approve Resolution 10-056, a resolution to establish an Investment Board with the following addition: "The Board will be in existence until March , 2012"

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

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

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

8. Discussion and consideration of Resolution 10-057, a resolution to instruct the Investments Board to draft an Investments Policy for consideration by the Governing Body.

Motion: Move to approve Resolution 10-057, **Action:** Approve, **Moved by** Councilor Gagliano, **Seconded by** Councilor Gerhart.

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

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

9. Discussion and consideration of a Cooperative Maintenance Agreement with the NMDOT for mowing and removal of obstructions on NM 448 (Corrales Road).

Councilor Clauser said Corrales needs to be very much aware of anything that DOT is doing with Corrales Road. One of her concerns is that when a traffic study was done on Corrales Road of the impact of new development on Corrales Road, the Village didn't even get a copy of it, so she wants the Village to be proactive in anything happening on Corrales Road.

Councilor Alsbrook wondered about the Village responsibilities in the Agreement, specifically the requirement that the Village provide a traffic control plan to DOT for review and approval? He wondered what that requirement entails? Administrator Avila said that the Village will be asking DOT for a template.

Motion: Move to direct the Mayor to enter into the Cooperative Maintenance Agreement between the Village of Corrales and NMDOT. , **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Alsobrook.

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

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

XII. NEW BUSINESS:

10. FUTURE AGENDA ITEMS

Mayor Gasteyer announced the following as possible future agenda items:

- Second reading of Ordinance 10-010;
- If approved for publish and post tonight, second readings of Ordinances 10-011, 10-012, 10-013, 10-014;
- The Bicycle Pedestrian Committee asked to be heard at the next meeting a safety concerns;
- Lodgers' Tax disbursement request for the Corrales Society of Artists for the Winter Art Show;
- Discussion of a request for proposals for solar improvements;
- A discussion, perhaps in executive session, regarding franchise negotiations;
- An action item addressing the sewer and ways that the Village can go about accomplishing the finishing of Phase II and the beginning of Phase III;

Councilor Clauser said the Supreme Court case regarding water rights was decided and she thinks perhaps another discussion with water attorney Tessa Davidson would be warranted. Mayor Gasteyer said he would be happy to do that, and perhaps the Village's Water Committee could be resurrected.

Councilor Garcia-Miera suggested an ordinance for the Montoyas Arroyo's issues.

11. Discussion and consideration of Proclamation 10-09, proclaiming November 11th, 2010 as a day of recognition for all veterans.

Motion: Move to approve Proclamation 10-09, proclaiming November 11, 2010 as a day of recognition for all veterans., **Action:** Approve, **Moved by** Councilor Gagliano, **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.

12. Discussion and instruction to the Mayor regarding an Agreement between the Village and the Albuquerque Bernalillo County Water Utility Authority to provide a wholesale wastewater connection.

The Mayor said this is a "framework" agreement and there will be subsequent agreements along the line as we become partners with ABCWUA's wastewater treatment services. The exhibits in the Agreement are yet to be developed.

Attorney Appel said that we do not yet have the contract in place even for the design of that final segment from the Village boundary down to the south of McDonald's. Those will be the exhibits that will ultimately be added to this in a later iteration. This is the general framework for the relationship that will exist once the structure is physically in place to transport wastewater to the ABCWUA system. This framework agreement has been presented to the Board of Directors of the ABCWUA and was approved by that board a little over a month ago.

Mayor Gasteyer added that on page three where it refers to the utility expansion charge, currently, the number is \$1,867, and the initial charge would be 100 times that, or \$186,700 dollars.

Councilor Alsobrook said there are two pieces of language that caught his eye: one is on page 2, Section 2, paragraph C where it states that "Corrales shall assign all easement rights, and property owned by Corrales that is necessary or desirable for operation and maintenance." He agrees with the necessary part, but is uncomfortable with "desirable." Attorney Appel said he's not sure how that language got in there, but if the Governing Body decided to delete the words "or desirable", it would probably be acceptable to ABCWUA. Similarly, Councilor Alsobrook was uncomfortable with the word "useful" on page 6, paragraph 11 that says "...Corrales shall transfer any of Corrales' capital assets that are useful or necessary for the construction, operation and maintenance."

Councilor Gagliano asked when the exhibits are produced, are they implicitly approved because the Agreement will be approved? Attorney Appel recommended that at that point, a more final form of this Agreement be brought before both Governing Bodies for approval. Obviously, this is going to be a progressive process over the next 2 or 3 years to get the structure in place. At that point, it will be appropriate for both Governing Bodies to take a look at this again.

Councilor Clauser wondered if there is any part of this that suggests that if the Village of Corrales finds that they want to consider not continuing with the ABCWUA, is it possible? Attorney Appel said the Village's system would remain the property of the Village up to but not including what has been described as the actual wastewater connection south of Alameda, so nothing in the Agreement would preclude the Village from discontinuing delivery of sewage if the Village finds an alternative location or alternative way of treating the sewage rather than delivering it to ABCWUA. The Village, under this Agreement, becomes a customer. However, there aren't many other wastewater acceptors.

Councilor Gagliano expressed concern with the Agreement giving ABCWUA the Village's return flow credits and said that Intel has an agreement with them allowing Intel to keep their water credits.

Attorney Appel said it is probably an older agreement and that he's only aware of agreements that gave ABCWUA return flow credits. You can only claim a return flow credit if there is an underlying water right.

Motion: Move to instruct the Mayor to enter into the Agreement with the ABCWUA to provide wholesale wastewater connection deleting the word "desirable" on page 2, section C, and also delete the words "are useful or" on page 6, paragraph 11, **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Harper.

Motion: Move to amend that Agreement to say that it will be brought back before the Governing Body when exhibits A and B are added, **Action:** Amend, **Moved by** Councilor Gagliano, **Seconded by** Councilor Clauser.

Vote on amendment:

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.

Vote on the motion as amended:

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 and consideration to publish and post Ordinance 10-011, an ordinance amending Chapter 18, Article III (Subdivisions), of the Code of Ordinances of the Village of Corrales, being Ordinance No. 63, adopted January 13, 1976, as amended and supplemented; defining terms; amending and clarifying required submittals and procedural requirements for review and approval of subdivisions; and making technical corrections.

Attorney Appel said that this ordinance and the three following it reflect the specific recommendations of the Planning and Zoning Commission with the single exception that it was forwarded to Attorney Appel to draft it into appropriate format for the Village Code. In doing so, he made a few additional corrections and modifications to ensure consistency. In the documents before the Governing Body, the black changes in bold are the exact wording recommended by the Planning and Zoning Commission. In a few places, there are redline additions and modifications, and those are the changes recommended by Attorney Appel to maintain format and organizational consistency and to make clear the intent in a couple of places where the original wording was not totally clear.

Mayor Gasteyer said that in 18-86 (b), X, there is new language added that says "and of each parcel of land proposed as part of the subdivision legible copies of all prior plats that reflect the history of the land being subdivided." Mayor Gasteyer commented that requirement might be hard to comply with. Attorney Appel said that all prior plats should be recorded in the County Clerk's office. This has been specifically requested by the Planning and Zoning Commission because the Commissioners are concerned that they are often provided incomplete information by the applicants or the contractors working for the applicants. In many cases, in order to get complete information, the Village Engineer has had to undertake independent research on behalf of the Village. Councilor Clauser agreed.

Motion: Move to publish and post Ordinance 10-011, an ordinance amending Chapter 18, Article III (Subdivisions), of the Code of Ordinances of the Village of Corrales, being

Ordinance No. 63, adopted January 13, 1976, as amended and supplemented; defining terms; amending and clarifying required submittals and procedural requirements for review and approval of subdivisions; and making technical corrections, **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.

14. Discussion and consideration to publish and post Ordinance 10-012, an ordinance amending Section 18-30(b) "Storm water retention" of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 220, adopted October 9, 1989, as amended; providing that grading and drainage plans will not generally be required for development of lands east of the Corrales main canal.

Mayor Gasteyer also said that under 11 (b), he's not clear about whether everyone east of the Main Canal has to provide an affidavit? Planning and Zoning Chairman Terry Brown explained that many of the sites east of Corrales Main Canal are relatively flat. But there are some areas that are questionable. If the applicant has an engineer or surveyor sign off saying that it's within the confines of this, then the Planning and Zoning Commission will sign off on it.

Attorney Appel said that the language could be changed to be clearer and to make a new sentence to say: "An affidavit stipulating the land has a 1% or less slope signed and sealed by the surveyor or professional engineer preparing the plat shall be placed on the plat as a requirement for such exemption."

Motion: Move to publish and post Ordinance 10-012, an ordinance amending Section 18-30(b) "Storm water retention" of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 220, adopted October 9, 1989, as amended; providing that grading and drainage plans will not generally be required for development of lands east of the Corrales main canal., **Action:** Approve, **Moved by** Councilor Gerhart, **Seconded by** Councilor Gagliano.

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.

15. Discussion and consideration to publish and post Ordinance 10-013, an ordinance amending Section 18-30(f) "Height restrictions" of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 220, adopted October 9, 1989, as amended; providing that utility poles in areas of the Village served by established above ground utilities shall not exceed forty (40) feet in height above grade.

Motion: Move to publish and post Ordinance 10-013, an ordinance amending Section 18-30(f) "Height restrictions" of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 220, adopted October 9, 1989, as amended; providing that utility poles in areas of the Village served by established above ground utilities shall not exceed forty (40) feet in height above grade, **Action:** Approve, **Moved by** Councilor Gagliano, **Seconded by** Councilor Gerhart.

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.

16. Discussion and consideration to publish and post Ordinance 10-014, an ordinance amending Section 8-47(b) "Certificates of occupancy: issuance" of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 05-01, adopted March 8, 2005; providing that no certificate of occupancy shall be issued until all required fees have been paid.

Motion: Move to publish and post Ordinance 10-014, an ordinance amending Section 8-47(b) "Certificates of occupancy: issuance" of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 05-01, adopted March 8, 2005; providing that no certificate of occupancy shall be issued until all required fees have been paid., **Action:** Approve, **Moved by** Councilor Clauser, **Seconded by** Councilor Gagliano.

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.

CLOSED SESSION: On motion duly made and approved the Governing Body may go into closed session to discuss:

Discussion regarding potential threatened or pending litigation involving the Village of Corrales. This meeting will be closed in accordance with Section 10-15-1(H)(7), NMSA 1978, "meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant; "

Motion: Move to enter closed session to discuss pending litigation involving the Village of Corrales, **Action:** Enter Closed Session, **Moved by** Councilor Gerhart, **Seconded by** Councilor Gagliano.

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.

17. **Discussion and consideration of Resolution 10-055, a resolution authorizing adjustments of various funds for fiscal year 2010-2011.**

The Mayor explained that this Budget Adjustment Resolution provides for legal claims expenses recently incurred.

Motion: Move to approve Budget Adjustment Resolution 10*055, **Action:** Approve, **Moved by** Councilor Gagliano, **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.

XIII. ADJOURNMENT:

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

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.

BEING NO FURTHER BUSINESS TO COME BEFORE THE GOVERNING BODY, THE MEETING ADJOURNED AT 9:42 PM.

APPROVED THIS 7th DAY OF December, 2010.



Juan Reyes, Clerk