



VILLAGE OF CORRALES  
GOVERNING BODY  
REGULAR MEETING

**MINUTES**

March 22, 2011

6:30 p.m.

COUNCIL/MUNICIPAL COURT CHAMBERS

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**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 6:36 pm and led the Pledge Allegiance in both English and Spanish (Juramento de Fidelidad).

**II. APPROVAL OF AGENDA**

Councilor Alsobrook suggested that items 8 and 9 be moved in front of item 7.

**Motion:** Move to approve the agenda as amended, **Action:** Approve, **Moved by** Councilor Alsobrook, **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.

Mayor Gasteyer commented that there is a sign in sheet for members of the general public commenting on items on the agenda. He asked that if someone wants to speak on any issue, that they sign in.

**III. APPROVAL OF MINUTES**

**1. March 8, 2011 Council Minutes**

Councilor Clauser suggested the words "to get" be deleted on line 124, and said that there is a run on sentence in the minutes and that should be avoided in the future.

**Motion:** Motion to approve the minutes of March 8, 2011 as amended., **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.

#### IV. ANNOUNCEMENTS

Mayor Gasteyer announced the following:

- On March 23, the Mayor, the Village Engineer and a couple of Councilors will be at the Chocolate Turtle on Meadowlark Lane at 6:30 as a preliminary planning meeting for the Meadowlark Bike Trail that is being funded with a federal contribution and some State capital outlay;
- On Monday, March 28, from 6-8:30, Intel will be holding a public meeting on its Air Quality Permit revision;
- Friday, April 1<sup>st</sup> is the District Meeting of the New Mexico Municipal League in Belen;
- Corrales Historical Society on Thursday, April 7 at 7:00 pm has a program on wine making in New Mexico from a historic perspective;
- Tuesday, April 12<sup>th</sup> is the next regularly scheduled Council meeting.

#### V. PETITIONS

#### VI. COMMUNICATIONS

##### 2. Administrator's Report

Administrator John Avila reviewed 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.

Councilor Garcia-Miera thanked the people who attended the arroyo cleanup and said it was a great success.

Councilor Gagliano said that on Sunday, there was water coming up off of Corrales Road. He thanked the fire fighters and the MRGCD ditch rider for helping with the situation. There was a broken line under the road. Administrator Avila said that the Village is working with NMDOT to determine who is responsible for the repair.

Mayor Gasteyer said that the Governor has until April 8<sup>th</sup> to sign bills passed in Legislature, and many of them are still unsigned. He announced some of the outcomes of the Legislature pending signature from the Governor:

- There was no capital outlay initiative;
- There will be a PERA contribution increase for employees, which means a smaller paycheck;
- There was a freeze on payments from a fire fund that the Village has used in the past;
- There was no tax lightning bill that finished the legislative route;
- There is a broadened ethics and conflict of interest statute that will now extend to local governments;
- The five foot clearance for bicycle riders legislation passed through;
- There will be a special session mid-year on redistricting for State office and congressional seats;
- There was rumor that the budget issues may not be finished and that the Governor may call the Legislature back.

**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.**

David Zapf said that he Village is in dire need of money. He proposed a few ideas: elimination of the speed bumps on Meadowlark and speed enforcement on that road; mandatory recycling; permits to hang up signs for real estate or yard sales; recycling from the mandatory removal of scrap metal from old cars and trees from junk properties. Mr. Zapf also discussed the mandatory five foot space for bicyclists. He also discussed the mandatory cutting of weeds on Village property.

Steve Henry said that the Corrales Horse and Mule People (CHAMP) has been actively promoting Corrales to the equestrian community throughout the State, and has discussed branding Corrales as the "horse capital of New Mexico." He said that they have talked about putting out a brochure with that type of slogan. While Ruidoso has a lot of quarterhorses, the Village probably has the most number of trail and recreational horses of any place in New Mexico. Mr. Henry also discussed concerns with the recent implementation of the event permitting process. He also praised the Police Department for its assistance with Crosswalk Awareness Day.

#### **IX. CONSENT AGENDA:**

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

The Mayor commented that he is always impressed by the Fire Department in how diligent they are about in-service training and participation with other fire departments and the levels of accomplishment that the fire staff has achieved.

Councilor Gerhart noted that the Public Works Department cleared the elm trees that were growing along the ditch at the west end of the Gonzales field and it looks beautiful. She said it was a huge amount of work and she thanked the Public Works Department.

**Motion:** Move to accept the Consent Agenda, **Action:** Approve, **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.

**X. CONFIRMATION OF PERSONNEL RECOMMENDATION:  
4. N/A**

**XI. CONFIRMATION OF APPOINTMENTS**

**5. Terrance Brown for Planning and Zoning Commission for a term to expire in March, 2013**

**Ignacio Cordova for Planning and Zoning Commission for a term to expire in March, 2013**

**Roy Soto for Planning and Zoning Commission for a term to expire in March, 2013**

**Motion:** Move to confirm the reappointments of Terry Brown, Ignacio Cordova and Roy Soto to the Planning and Zoning Commission, **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.

**XII. OLD BUSINESS:  
N/A**

**XIII. NEW BUSINESS:**

**6. FUTURE AGENDA ITEMS**

**8. Discussion and consideration of Resolution 11-013, a resolution supporting the Annual Village Children's Egg Hunt at La Entrada Park.**

Councilor Gerhart said that all the fees will be paid, and the Kiwanis Club is not asking for a waiver of fees.

**Motion:** Move to approve Resolution 11-013 supporting the Annual Village Children's Egg Hunt, **Action:** Approve, **Moved by** Councilor Alsobrook, **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.

**9. Discussion and consideration of Resolution 11-014, a resolution co-sponsoring the Corrales Recreation Ride.**

Corrales Horse and Mule People President Steve Henry introduced the resolution.

**Motion:** Move to approve Resolution 11-014 co-sponsoring the Corrales Recreation Ride, **Action:** Approve, **Moved by** Councilor Clauser, **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.

**7. Discussion and instruction to the Mayor regarding an expression of support (or disapproval) for the U.S. Army Corps of Engineers' proposed Bosque Restoration Project as requested by the landowner, the Middle Rio Grande Conservancy District.**

Mayor Gasteyer reviewed a map of the Bosque and the work to be done in the various areas of the Bosque.

David Worledge, Chair of the Bosque Advisory Committee, addressed and discussed the Commission's position on the project. Mr. Worledge said that all seven Commissioners agree on the following: 1) they are enthusiastic about the revegetation plans of the Corps, though there is a need for soil testing and determinations of depth to groundwater; 2) they are against the thinning of exotics generally except for one expanse of Russian olive trees approximating nine acres in sector 1G; 3) they are against the bank reduction proposal in sector 1E because they are uncertain of its purpose and note that there is a good mix of habitat at that location; 4) they oppose the high flow channel in 1E given the limited hydrological justification; 5) they also oppose the high flow channel in 1A based on their current understanding though they thought it might conceivably support a willow swale; and 6) they don't recommend clearing of dead and down timbers -- though they recognize its fire protection benefits, the mechanized removal would provide too much disturbance to the nature preserve. Chairman Worledge concluded by saying that the Commissioners would very much like to get the soil and water information which the project would produce.

Alicia Augustin Johnson, Project Manager, from the US Army Corps of Engineers' said that the project is 100% federally funded. The Corps has nearly \$19 million dollars for restoration, and the Corrales preserve is one section of the area to be restored. She discussed the project and said that in order to use those funds, some of the work will have to happen this federal fiscal year (which ends September 30, 2011). She said that there is room for working through specifics with the Bosque Advisory Committee with the understanding that if small amounts of the projects if they go forward with small amounts at this time, funded by the first increment of funds, there might not be funding later if a bigger project comes up.

Steve Boberg discussed work along the bankline.

Councilor Gagliano asked how the work done on the Sandia Pueblo affects our Bosque? Mr. Bober said that there has not been much in the way of high flow channels. Their project on the pueblo side does not include any water features.

Councilor Gagliano suggested that the Corps start with the Habitat Plan developed by the Corrales Bosque Advisory Commission. Ms. Austin Johnson said that USACE biologist Ondrea Hummel had commented on the Corrales plan.

Councilor Harper asked if the Corps project funds could be used, at least in part, to purchase water rights for the Village to use in supporting revegetation efforts? Ms. Johnson replied that they could not be used for such a purpose.

Councilor Alsobrook asked if there would be time for the Corps planners to provide more detail on where the willow swales would be beneficial before a decision is made by the Council on support for the project? Ms. Austin Johnson said that the Middle Rio Grande Conservancy District must sign the Project Partnership Agreement before construction can begin of any features. Perhaps, she said, the Council could express its approval with a caveat relating to the willow swales.

Joan Hashimoto expressed concern with the Bosque Restoration Project. She read the preamble to a petition circulated among citizens: "We the under signed residents of the Village of Corrales fully support preserving and protecting the natural native conditions, habitat and wildlife in the Corrales Bosque Nature Preserve. We respectfully urge that the Mayor and the Councilors of the Village do not move forward toward signing any agreement with the US Army Corps of Engineers for a so called Bosque Restoration Project which would feature 3,000 of 70 feet wide of clearance swaths for water channels (these might flow every two years or so depending on river water levels) until the following are done: specific details of this plan are distributed to the governing body and Villagers; an Environment Impact Study be performed in compliance with the National Environmental Policy; a simulation study done using a 10 year window of how the Project will impact the channels (the Army Corps of Engineers will not be responsible for this) and who will pay, plant and wildlife habitat disturbances, and whether the project will really result in durable cottonwood growth; after the above-mentioned documents have been available to the Villagers for at least a week, a designated public hearing is held where input can be heard." Ms. Hashimoto asked for the petition to be included in the meeting minutes.

Mary Ellen Capek said that there are a lot intelligent of people in Corrales who could give a good recommendation to the Council and suggested a pause before an up or down decision is made.

Milton Strauss discussed long term consequences. He said this is a renovation, not a restoration, project.

Stacia Spragg-Braude said that there are other ways of doing work in the Bosque. This decision shouldn't be rushed and there should be a lot of consideration.

Anita Walsh expressed concern with the Army Corps presentation of thid project and SSCAFCA's maintenance of the mouth of the Harvey Jones Channel. She discussed past Bosque projects that she did not approve of.

Mary Pat Day urged the Council not to move forward with the project until more research and communication has been had. She said it seems the Village is being forced into the project because of money.

Roger Finzel expressed concern about the contractors used by the Army Corps of Engineers and said the intent of any plan could be different than the outcome depending on how the work is performed.

Ron Reder said he is concerned because there has been a lot of published information that is not consistent with what was presented tonight. The draft environmental assessment talks about making parkland and human use.

Paul Dearth said that he is concerned with two worst case scenarios: levee failure and river flooding and wildfire. The Council should protect the Village.

Sue Hallgarth said the Village isn't doing enough to maintain the bosque on a regular basis, and everyone could help be more effective in this capacity. She said that she cannot support a project that no one really knows about.

Fred Hashimoto said he is leery and skeptical about the project, particularly the high-flow channels. He also discussed cottonwood germination and the uncontrollable spread of Chinese elms.

Councilor Gagliano said wondered if the Council can support, but not approve and agreement for the MRGCD? Also, he suggested that Governing Body instruct the Mayor to move forward with the gathering of data without any physical action.

Councilor Harper said he'd like Council to instruct the Mayor to approve portions of the project to include studies on ground water, soils testing and revegetation under the direct supervision of the Bosque Advisory Committee.

Councilor Clauser said that as a member of the regional Water Resources Board she has heard very specific and detail presentations by Charles Wilson We can ask the Corps for help with data but don't have the resources to fund such work ourselves. She regretted that funding for water rights was not possible. Councilor Clauser said that the Corps of Engineers never does a project that is not approved totally by the local municipality

Councilor Garcia-Miera agreed that testing and bosque revegetation are the parts of the proposed project most important to the Village.

Councilor Gerhart asked who gives final approval and whether the subject will be brought up again at the Village Council? Ms. Austin Johnson said that the final decision rests with the landowner, the M.R.G.C.D. She and her staff, however, are committed to work with the Village's Bosque Advisory Commission as the project goes forward.

Councilor Harper wondered if the lowest bidder is awarded the contract for work of this sort? Ms. Austin Johnson said that it will be a "best value" contract and that the language will call for a qualified biologist to be on site at all times. The request for bids would go out for 30 days following the completion of the 95 percent design, now projected for mid-April.

Councilor Clauser asked whether a request to limit the project to testing and revegetation would be enough activity for the Corps to continue its involvement in the Corrales portion of its project? Ms. Austin Johnson responded "Yes" and stated that she would like to continue to work with the Bosque Advisory Commissioners and return with a "very focused" plan, perhaps at the Council's April 12th scheduled meeting.

**Motion:** Move to table this item until such time as the Corps and Bosque Advisory Commission can work together to bring the Council a 95% plan , **Action:** Approve, **Moved by** Councilor Alsobrook, **Seconded by** Councilor Garcia-Miera.

Councilor Clauser said that the plan needs to be more widely distributed so that all Villagers can see it.

**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.

**10. Discussion and consideration to publish and post Ordinance No. 11-009, an ordinance amending Section 18-161(a) of the Code of Ordinances of the Village of Corrales, being a part of Section 1 of Ordinance No. 06-03, adopted October 24, 2006, as amended by Ordinance No. 09-004, adopted May 19, 2009, and by Ordinance No. 09-017, adopted December 1, 2009; providing that the provisions of Chapter 18, Article V (Terrains and Storm Water Management) shall apply to development and redevelopment projects east of the Corrales main canal that disturb a total area greater than or equal to one acre.**

The Mayor and the Village Attorney described how Ordinances 11-009 and 11-010, which follows, are part of an effort to satisfy the federal Environmental Protection Agency regarding its assertion that the Village has not adequately prepared a Storm Water Management Plan.

**Motion:** Move to publish and post Ordinance 11-009, **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.

**11. Discussion and consideration to publish and post Ordinance No. 11-010, an ordinance amending Section 24-20 of the Code of Ordinances of the Village of Corrales, being Section 1 of Ordinance No. 28, adopted June 21, 1972, as amended by Ordinance No. 189, adopted February 15, 1988 and by Ordinance No. 05-02, adopted April 26, 2005; prohibiting the deposit of litter or waste materials on public or private lands in the Village; prohibiting the deposit of litter or waste materials in water courses that discharge into the Rio Grande; establishing penalties for violation.**

**Motion:** Move to publish and post Ordinance 11-010, **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.

**12. Discussion and consideration of Resolution 11-015, a resolution authorizing adjustments of various funds for Fiscal Year 2010-2011**

**Motion:** Move to approve Resolution 11-015, **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.

The Mayor said the requested adjustment involves creation of a special fund for \$25,000 received from the federal government for Safe Routes to School activities.

**XIV. ADJOURNMENT:**

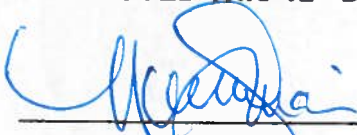
**Motion:** Move to adjourn, **Action:** Adjourn, **Moved by** Councilor Harper, **Seconded by** Councilor Gerhart.

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

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

**BEING NO FURTHER BUSINESS TO COME BEFORE THE GOVERNING BODY, THE MEETING ADJOURNED AT 9:55 PM.**

**APPROVED THIS 12<sup>th</sup> DAY OF April, 2011.**



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Noelle V. Garcia, Deputy Clerk