JoAnne Roake
Mayor

APPROVED MINUTES

Village of Corrales
Governing Body Regular Meeting

October 13th, 2020 6:30pm

This will be a Teleconference Meeting which the public is allowed to join. You are encouraged to join before 6:35 p.m.

Please call: 1-669-900-6833 Meeting ID: 844 6813 1443# Password: 262748#
For any questions regarding the teleconference meeting call Aaron at 505-350-1583

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

B. GOVERNING BODY PRESENT

Present: Mayor Jo Anne D. Roake (Not voting), Councilor William Woldman, Councilor Kevin Lucero, Councilor Stuart Murray, Councilor Mel Knight, Councilor David Dornburg, Councilor Zachary Burkett.

C. APPROVAL OF AGENDA

Motion: to approve the agenda, Action: Approve, Moved by Mayor Pro Tem David Dornburg, Seconded by Councilor Mel Knight.
Vote: Motion carried by unanimous vote (summary: Yes = 6).
Yes: Councilor William Woldman, Councilor Kevin Lucero, Councilor Stuart Murray, Councilor Mel Knight, Councilor Zachary Burkett, Mayor Pro Tem David Dornburg

D. REPORTS:

1. Administrator Report
   • General Discussion of Complaints/IPRA requests
Administrator Curry: First off I wanted to talk about the note that Councilor Murray sent us about how we handle requests and complaints. I have got a few answers for you tonight and we can discuss it as you see fit. There will also be some discussion from Randy and Aaron later on that may answer some of your questions about IPRA. The first question was how long does it take to address a complaint that comes in from a citizen? We take these complaints that usually come into Aaron or myself and dish them out to whichever department head is involved in it. We try to respond as quickly as possible, usually within 72 hours. Sometimes it takes longer than that. We try to respond verbally or in writing as necessary. We keep a record of all complaints even after it is closed for an indefinite period of time. We try to make it all a quick process. Sometimes a person will get an answer from a department head that they don’t agree with, so it goes to a different department head, or Aaron and I, but the point is that we try to answer each complaint in a timely fashion. If it requires a payment, then even during COVID-19 we have ways they can do it by calling in a payment or by mailing a check in. As with some of the complaints, it requires us to do some digging and sometimes the records do not exist or need updating, so we try to do that as well. As far as IPRA goes, as many of you are aware, we had some issues in the past of dealing with IPRA in a timely manner but we feel that the process we have now is working well. Each time we receive an IPRA request, we treat it with high priority. We want to make sure that we deal with each request according to law as well as our own process. IPRA requests come frequently to municipalities and are very time consuming if done correctly. We always want to do them correctly, because if we don’t, they become very expensive. I am going to ask Aaron to discuss what he and Randy are working on related to this IPRA issue.

Clerk Gjullin: The typical base level response I am going to give you is that we try very hard to be in total compliance with the Inspection of Public Records Act. We use the compliance guide that is put up by the Attorney General. Whenever I receive a request, either via email, or by fax or in person, then I try to answer within three days which is required by law. If I am not able to respond within three days then I send a letter asking for additional time which by the act is fifteen days. I always send a written response to whomever requested information either with our response or asking for additional time. The long and short of it is again, that I try very hard to be in compliance with the Inspection of Public Records Act. We are in the process of updating our internal policies and procedures. Those are something that I wrote up and it is literally just a step by step of what I do every time I receive a request. That includes mentioning keeping both a physical and electronic copy of the records. Randy is still doing some review of the policy, but I will let him chime in about anything else. We are hoping to have something in front of you by the end of the year.

Randy Auto: This is an incredible important topic and it is unfortunate that it takes a municipality the size of Corrales, probably half the time of a full time employee, to coordinate and respond to each request. It eats up an extraordinary amount of time. I was the records custodian for two years when I was the Interim City Clerk for the City of Albuquerque and the pressure of IPRA is extraordinary. Everybody has a right to know and everyone should get to know but logistically it is daunting. Aaron has drafted a policy, we are going to tweak it and the second step is, we need to have a concise records retention policy. There are some things that are records, for example, if I wrote a note as a Village employee right now, and put it in my desk, that is a public record that can be retrieved under IPRA. You do not keep that record, so you should get rid of those notes. Emails do not have to be retained very long and we will take a look at that policy. If you could have a perfect world on electronic records, emails would contain no content. They would just be an envelope that exists to deliver documents that exist somewhere else in our system. Then you would maintain those documents as long as you need to and the emails you could get rid of within a six
month period. That way you do not have to search all those emails when you get an IPRA. So there are many time saving things we can do with a retention policy, so we are going to try to implement that. I can stand for any questions.

Clerk Gjullin: Just to follow up on something Randy said about the sheer amount of time it takes to deal with IPRAs. Since I have taken this position, we have had to respond to fifty three different IPRA requests. Just as Randy said, each one is a legitimate request that is due its response. So it does take me quite a bit of time, but I think we have been managing it so far. Obviously, Councilor Murray if you had any further questions or discussion I would be happy to try and answer your questions.

Councilor Murray: One of my questions was what options or rights are available to the residents of Corrales if their request is denied? What avenue do they have to take it to the next level?

Randy Auto: There are several avenues. The first would be that they could contact us back and say that they think their request was improperly denied and request that the Village attorney take a look at it. The second would be that they could take a complaint to the Attorney General’s Office. Basically they would say the Village did not do it right, and we want you to make them do it right. The third avenue would be that they could file a complaint in court against us. They could seek damages and attorney fees for our failure to properly follow IPRA requirements. We encourage solving everything to the lowest level possible. Talk with us. We are all trying to get the same thing done. Sometimes there is a misunderstanding, sometimes there is a mistake, and sometimes they are not entitled to see what they want. But those are the three options.

Councilor Murray: I had another question, at the end of the IPRA request, why is it that an email or fax has the normal time constraints taken away?

Clerk Gjullin: My understanding is that this is a very old form. This was a form developed when the Village staff was even smaller than it is now and that this was a policy that they had in place. I do not know how it fits in with the current IPRA guide, but I wanted to make sure that we had our policies and procedures in place and codified before I changed anything on the form itself.

Councilor Murray: I wouldn’t doubt that it is an old form. Ron or Mayor, maybe you can jump in on the next question. I have been getting some pushback about how does the Village correct mistakes made by employees? We do not want them to become defacto law and it looks like some things that have happened in the past have become that way. How does the Village handle that to avoid these mistakes becoming defacto Village ordinances?

Administrator Curry: Is there anything specific that you could identify to help us?

Councilor Murray: I will address one thing which is the signs that we have been addressing. I have noticed in the ordinance, section 8-94, that portable signs are not allowed in the Village. That means that all the businesses and wineries down through the commercial core are not allowed to have portable signs.

Mayor Roake: Councilor Murray if I may? That is exactly why we are looking at the sign ordinance. So we will look at that. I believe that signs are always a difficult issue and you have to balance different things. We do not have a lot of places for businesses to have signage that tells people where their business is.
Councillor Murray: How do we enforce what is existing? Yeah you can look at the sign ordinance all you want but if we aren’t enforcing what is written then what is the point of our ordinances then?

Randy Autio: Our anticipation is to introduce the new sign ordinance in November. We are in active drafting of it. The only portion of the sign ordinance that is not being enforced is temporary signs. If a complaint is received by Laurie or her office, then they are going to investigate it and enforce it if there is a violation. That is my current knowledge but for the temporary signs which include political signs. That is because of flaw in our ordinance based off the new Supreme Court decision.

Councillor Murray: Also I wanted to know, there has been a lot of chatter on next door about ditch banks, what is allow, what is not and enforcement. So my question is, do we have enforcement authority on the MRGCD or SSCAFCA ditch banks?

Mayor Pro Tem Dornburg: Can we make this part of the Councilor’s Forum. This is not part of the agenda and is far out of field of the discussion.

Councillor Murray: This is what I consider part of the discussion because enforcement of the ordinances because if we get a complaint...

Mayor Pro Tem Dornburg: You asked about public information...

Mayor Roake: Councillor Murray I am going to suggest that we have strayed. We have tried to answer the questions about complaints. If we are going to discuss enforcement on ditch banks and ordinances, then we may need another discussion. As you may know, there are currently two subcommittees within the P&Z Commission that are looking at these things. There is a lot of movement on these issues but for now I think we should get back to the topic at hand. Is there anything further on the item about complaints?

Councillor Murray: No I am good.

Administrator Curry: Then I will move onto the next item of my report which is to have Tanya give an update on the Governor.

Tanya Lattin: As you may know the Governor sent out a press release about a new public health order. We were hoping to get one that was a bit more relaxing, but we have had the highest case counts this week. Please remember that everything I am talking about is subject to change until the Governor signs it. They are going to make the limit for mass gatherings five people again. Food establishments that serve alcohol will have to close by 10pm. Hotel occupancy was at 75% if you were a New Mexico Safe Practice certified. That is now dropping to 60% if you are certified, 25% if you are not. Travel had some exceptions. Some states we were able to travel to freely, some other places you had to take a COVID test once you got back and if it came up negative then you were free to continue. They are now taking those exceptions away. All travel will go back to a 14 day quarantine. I am happy to stand for questions.

Mayor Pro Tem Dornburg: I didn’t think this was part of the public health order, but it was in the press conference. Wearing masks while you are driving. Is that enforceable?
**Tanya Lattin:** My understanding is that if you do not live in the same household, you should be wearing a mask in the car. If you are with a spouse or something then you do not have to wear a mask. Our crews do wear masks when they are in cars. I do not know if that is going to change.

**Mayor Roake:** One of the examples that they had was that you drive without a mask on, then stop at a drive thru fast food place and then forget to put it on. Things like that. I also wanted to thank you and Aaron for all the hard work you did yesterday to get that information and graphs ready for yesterday’s town hall. That was very nice and it lets our Village know where we are in terms of COVID. We also had a flu shot clinic right?

**Tanya Lattin:** Yes we had 45 people get their shots.

**Administrator Curry:** Thank you Tanya, and I just want to say that Tanya has been excellent at representing the Village and her work with the State is phenomenal. A couple more updates. We are going to continue some discussions and I want to thank Councilor Lucero for his work with the Tree Committee. We have been exchanging some drafts on some things and Councilor Lucero and I are looking to continue working on this Tree Care Plan with those folks. One of the other things I want to discuss is that we have been going through and making sure that everyone who has a business has a current business registration. It is important for them, especially if they are trying to get CARES money from us, but it is also important for the Village so that we can keep track of the businesses and assist them in any way. We will be going through that over the next few months because we have found some looseness in the inventory that we have. We will be reaching out to businesses for some clarification and I thought it was important for the Council to know just in case you hear from a constituent about it. With that I can stand for any questions.

**E. 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.

**Councillor Murray:** One, I would like to give a shout out to one of our Village residents, Linda Crowden. She is working with the Red Cross out in Louisiana. If we get the opportunity we should recognize her with a certificate of some kind. I also wanted to submit Pat McClernon’s name to the P&Z work studies. He is a licensed architect and resident of the Village and I think he would be a great asset to the P&Z Commission. Also we mentioned last time about the comprehensive plan, were we going to get a copy of that? I would like to see it. Also I talked to Patty Flannigan, the president of CHAMP, and it seems like the Rocky murder is now considered a cold case, but the crime stoppers have an active reward for info at around $25,000. Also, there was another incident this morning I saw on next door, where a horse facility was violated and the horses were released or something. I want to make sure that the residents are vigilant about this. They may need to install security cameras if we are going to catch these violators. Also, Patty Flannigan, Bon Bagley and I attended the MRGCD meeting and discussed the design of the new gates that are on Romero Road. It was steered towards SCAFCA since they installed them, but there are some design issues and we are going to see if we can work around that. Also there is a gentleman that is going to speak later in the Corrales forum about ADA access to the bosque, so I will defer to him later. Also, since this is the councilor’s forum, there is a lot of chatter on next door and people are discussing the ditch banks. Randy, can you verify that the Village has memorandum of understandings between these agencies for our enforcement officer to give tickets to people who violate the ditch banks? If you could look into it, I would appreciate it. Also, since Chief is out in the bosque dealing with a potential issue. When I spoke with him, he mentioned he wanted more
eyes and ears down there in the bosque. If you see something, say so, and mention the mile marker, or
the gate entrance and when you call from a cell phone, identify that you are in Corrales. There is a potential
that the call may go into Bernalillo County. That is my list for the night.

Councillor Knight: I read an article about some political signs being taken down. They are teenagers
and obviously we don’t want to give out their names, but are they from Corrales, Rio Rancho or
Albuquerque?

Mayor Roake: We can talk about it a little later, but I think the Police Chief addressed it in his next
door message. Apparently there is a TikTok contest going on about taking political signs.

Councillor Burkett: I don’t know that we have much control over this but during the primary election
we had the same 5 person limit going on. The election process did not deal with it well. We had three
site workers in there, so only two people could vote at a time. Is there a way to provide them with two
rooms or divide the gym? The line was all the way across the parking lot and I expect that this election
will have high turnout. Anything we could do would be appreciated.

Councillor Knight: Early voting is starting this Saturday. I just wanted to make sure that the building
was cleaned and ready for them.

F. 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.

All comments are encouraged to be emailed and will be read into the record. Please email
comments to at agjullin@corrales-nm.org no later than 12:00 pm on Tuesday October 13th.

Dave Bexfield: Before I begin, I’d like to thank the Village Council for the opportunity to speak about
improving access, in particular disabled access, to the Corrales bosque. My name is Dave Bexfield and I am a
resident of your nearby village, Los Ranchos de Albuquerque. Although I am well versed in the Americans with
Disabilities Act, I am not here as an ADA expert. And although I am a leading health advocate running the
world’s largest and longest-running personal MS website, I am not here solely to represent the disabled
community. I am here foremost as a neighbor.

Since moving to Albuquerque in the early 1990s, I used to enjoy the glorious wonders of your river forest—it
has produced memories that will last a lifetime. Like that time I biked all the way through Corrales… and I got
tired and had to stop at a Rio Rancho fire station to call my wife for a ride home (this was before cell phones).
Or that time my wife and I got caught in a monsoon rainstorm and rode home drenched and got caked with mud
in areas we didn’t know mud could reach.

After I was diagnosed with multiple sclerosis, I no longer had the balance to ride my bike, but I hiked with my
forearm crutches to enjoy the spectacular fall colors. As my disease progressed, my ability to walk declined.
And declined. Those logs that prevent motorized access became increasingly more difficult to cross. Then in the
fall of 2013, to get over each log Laura had to lift my uncooperative legs—carefully, one at a time, while I tried
desperately not to fall. That was our last moment in your bosque. Today we can only rely on memories and
photographs.

So when the Albuquerque Journal published an article last month espousing the beauty of the Corrales bosque
in the fall, asking the question at the end, What more could you want?, it inspired me to write my editorial. I just
want to return. We’ve so missed it. I then posted my letter on some of my social media feeds. The response
struck a chord and was galvanizing.

Jesse said “Yes, I think of this all the time on our trails; how can we organize to increase outdoor accessibility?”
Another wrote “I see these obstacles all the time and my heart breaks for those people who are active in their
wheelchairs.” Dee said “I would love, for just one day, people who have never had to use a wheelchair live our
reality—I don’t necessarily know if some people mean to be so inconsiderate, but a day viewing things from a
wheelchair would wake them up.” Peter: “Go tell it from a mountain that access is a right.” Shayn: “Hoping you
can influence them to make thoughtful, overdue adjustments—I want to see you back out in the spaces you
adore!” Kelcie wrote “Just because we’re disabled doesn’t mean we don’t love the outdoors and want to get out
and explore it. There’s no reason to make it more inaccessible to us just to prevent access to those who are
probably going to break the rules anyway....” And then a final comment: “Do you think your letter will lead to
any changes? Hope it does.”

I do, too. Thank you so much for the time.

G. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine by
the Village Council and will be enacted by one motion. There will not be separate discussion of these
items. If discussion is desired, that item will be removed from the Consent Agenda and will be
considered separately.

1. Approval of minutes for September 22nd, 2020 Regular Council Meeting
2. MOA between Sandoval County and Village and Corrales

Motion: to approve the agenda, Action: Approve, Moved by Councilor William Woldman, Seconded
by Councilor Stuart Murray.
Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).
Yes: Councilor William Woldman, Councilor Kevin Lucero, Councilor Stuart Murray, Councilor Mel
Knight, Councilor Zachary Burkett, Mayor Pro Tem David Dornburg

H. ITEMS REMOVED FROM CONSENT AGENDA:

I. NEW BUSINESS:

1. Consideration, Action and Approval of Resolution 20-031, a resolution to authorize the assignment
of authorized officers and agents for SAP 19-D2532-GF ($50,000) capital appropriation project

Motion: to approve resolution 20-031, Action: Approve, Moved by Councilor Stuart Murray,
Seconded by Councilor Kevin Lucero.
Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).
Yes: Councilor William Woldman, Councilor Kevin Lucero, Councilor Stuart Murray, Councilor Mel
Knight, Councilor Zachary Burkett, Mayor Pro Tem David Dornburg

J. CONFIRMATION OF APPOINTMENTS

Ellen Robb – Corrales Equestrian Advisory Commission
James Fahey – Capital Improvements Advisory Commission
Jeanne Reid – Parks and Recreation Commission
Mayor Roake: Jim Fahey is joining because Lynn Martinez, previously appointed, wound up having family health problems. Former Councilor Fahey was on this committee many years ago. So I made an effort to get some folks with some history on this committee.

Motion: to confirm the appointments, Action: Approve, Moved by Councilor Stuart Murray, Seconded by Mayor Pro Tem Dornburg.

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

Yes: Councilor William Woldman, Councilor Kevin Lucero, Councilor Stuart Murray, Councilor Mel Knight, Councilor Zachary Burkett, Mayor Pro Tem David Dornburg

K. ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

Remaining Council Meetings: Oct 27th, November 10th, December 8th
IPRA Policy
Appraisal of Haslam Conservation Easement
Draft Audit
Old Church Road Dedication
Tree Care Plan/Tree Committee
Upgrades to various policies and procedures

L. ADJOURNMENT

A COPY OF THE AGENDA MAY BE OBTAINED ON THE WEBSITE: www.corrales-nm.org click on I'm Looking For & Agendas/Minutes

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Village Clerk at the Village Offices located at 4324 Corrales Road, at least five (5) days prior to the meeting or as soon as possible.

Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Village Clerk at 897-0502, or by e-mail at agullia@corrales-nm.org if a summary or other type of accessible format is needed.

NEXT REGULAR COUNCIL MEETING: October 27th, 2020 at 6:30pm

I certify that notice of the Public Meeting has been given in compliance with the Open Meetings Act, Section 10-15-1 through 10-15-4 NMSA 1978 and the Open Meetings Resolution 19-041.

I certify that this agenda was posted on: October 9th, 2020.

Aaron Gullia, Village Clerk