



VILLAGE OF CORRALES

ORDINANCE NO. 23-07

**AN ORDINANCE AMENDING CHAPTERS 2, 14, 15, AND 34
OF THE CODE OF ORDINANCES OF THE VILLAGE, RELATING TO BOARDS,
COMMISSIONS AND COMMITTEES; PROVIDING FOR THEIR COMPOSITION
AND SELECTION OF THEIR MEMBERS; AND AMENDING OTHER DETAILS
REGARDING SUCH BOARDS, COMMISSIONS AND COMMITTEES**

WHEREAS, the Village of Corrales (the “Village”) and the Village Council, the governing body of the Village (“Governing Body”) rely on a number of boards, commissions and committees to provide advice, assistance, and in some cases decisions on important matters on behalf of the Village and the Governing Body; and

WHEREAS, the Governing Body further wishes to define the general scope and limitation of time for the existence of advisory boards and committees of a short-term or temporary nature that may be created from time to time by resolution; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that:

CHANGES TO CHAPTER 2:

Ordinance Part 1: Former Sections 2-126 through 2-131 of the Code of Ordinances of the Village (the “Village Code”), with the insertion of new Section 2-129 and renumbering of other sections as indicated, are **AMENDED** to read as follows and shall be codified within **Division 1. Permanent boards, commissions and committees** of Chapter 2, Article IV:

Section 2-127. Appointment of members; terms of office; notice of appointment; vacancies.

(a) *Appointment and term of office.* Except as otherwise specifically provided in this Code, members of permanent boards, commissions and committees of the Village shall be appointed by the Mayor with the advice and consent of the Governing Body for terms of two (2) years, commencing on the first day of **February** and ending on the last day of **January** of the second year thereafter **unless otherwise specified at the time of appointment**; provided, however, that each member shall hold office until his or her successor is appointed and qualified. A member whose term is set to expire or has expired may be reappointed to the same position by the Mayor with the advice and consent of the Governing Body.

(b) *Notice of appointment.* Each member of a permanent board, commission or committee shall be given notice of his or her appointment by the Village Clerk, which notice shall state his or her appointment, the date thereof, and the date his or her term expires. A copy of the notice of

appointment shall be provided to the chairperson of the board, commission or committee to which the appointment is made. .

(c) *Filling of vacancies.* If a vacancy occurs on a permanent board, commission or committee, the Mayor with the consent of the Governing Body shall appoint a person to fill the vacancy for the remainder of the unexpired term.

(d) *Compensation.* Members of all Village boards, commissions and committees, whether permanent or otherwise, shall serve without compensation.

Section 2-128. Officers.

Each board, commission or committee of the Village shall elect officers as provided in this Code or, in the absence of such provision in the Code, shall as a minimum elect a chairperson and a secretary. The chairperson shall call meetings, preside during the meetings, and perform such other tasks as are appropriate to that position or are specifically assigned by action of the board, commission, or committee. The secretary shall prepare and post notices of all meetings in accordance with the Open Meetings Act, Section 10-15-1 *et seq.*, NMSA 1978, and shall prepare or cause the preparation of minutes of all meetings of the board, commission, or committee. *Agendas shall be sent to the Village Clerk for posting to the Village website no later than 72 hours prior to the date and time of a meeting. Minutes for all meetings shall be sent to the Village Clerk for posting on the Village website as soon as possible after approval by the board, commission, or committee.*

Section 2-129. Meetings; compliance with Open Meetings Act.

(a) All meetings of permanent boards, commissions and committees of the Village shall be held at the Village offices, the Village council chambers, the community center, the recreation center, or such other public building or location within the Village as may be designated by the Governing Body or by the chairperson of the board, commission or committee.

(b) All meetings of permanent boards, commission and committees of the Village shall receive notice and shall be held and conducted in accordance with all applicable provisions of the New Mexico Open Meetings Act, Section 10-15-1 *et seq.*, NMSA 1978. All meetings shall be open to the public except as otherwise specifically provided by law. Each board, commission or committee shall annually, no later than ~~June 30~~ **December 31**, adopt an open meetings resolution setting its regular meeting schedule for at least the next year and determining appropriate reasonable notice for its meetings, which notice shall not be less than the minimum required under the Open Meetings Act. A copy of the open meetings resolution shall be promptly submitted for filing in the office of the Village Clerk.

Section 2-130. Quorum and voting.

Except as otherwise specifically provided in this Code or other applicable law, a majority of all the members of a Village board, commission or committee shall constitute a quorum for the transacting of business. A motion shall carry upon the affirmative vote of the majority of the

members present at any meeting.

Section 2-131. Minutes.

The secretary of each board, commission or committee shall prepare or have prepared minutes of all its meetings, which shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. Draft minutes shall be prepared within ten (10) business days after each meeting and shall be approved, with or without amendments, or disapproved at the next meeting where a quorum is present. A copy of the final, approved minutes of each meeting shall be promptly submitted for filing in the office of the Village Clerk.

Section 2-132. Removal or termination of members.

(a) The Governing Body may remove any member of any Village board, commission, or committee by the affirmative vote of a majority of all the members of the Governing Body upon the grounds of malfeasance or nonfeasance in office or for any reason whatsoever upon the affirmative vote of all of the members of the Governing Body.

(b) The tenure of any member of a Village board, commission or committee may be terminated by the affirmative vote of a majority of all the members of the Governing Body, upon the request of the Mayor or the chairperson of the board, commission or committee, if such member shall have been absent from more than two consecutive regular meetings of the board, commission or committee without having notified the chairperson, in advance, of the reason for such absence.

CHANGES TO CHAPTER 14:

Ordinance Part 2: Section 14-128 of the Village Code is **AMENDED** to read as follows:

Section 14-128. Tree preservation advisory committee.

(a) There is hereby created the Tree Preservation Advisory Committee, which shall consist of five (5) volunteer members appointed by the Mayor, with the advice and consent of the Governing Body.

(b) The Tree Preservation Advisory Committee, at its discretion, may seek the services of a certified arborist, acting without compensation from the Village, to provide technical expertise and guidance to the Committee. The certified arborist need not be a resident of the Village.

(c) The Tree Preservation Advisory Committee shall meet at least annually, and as often as is necessary to provide for the efficient performance of its duties as established in this article. Special meetings may be called by the chairman, or by any two members of the Committee. All meetings of the Committee shall be open to the public.

CHANGES TO CHAPTER 15:

Ordinance Part 3: Sections 15-1 through 15-6 (as renumbered) of the Village Code are **AMENDED** to read as follows:

Section 15-1. Creation of commission.

There is hereby created the Farmland Preservation and Agriculture Commission of the Village of Corrales, which shall have the duties and powers hereinafter set forth and shall be responsible to the Mayor and the Governing Body.

Section 15-2. Definitions.

For the purposes of this Chapter 15, the following terms shall have the meaning herein stated, unless the context clearly requires otherwise.

Agriculture means the tilling of the soil and the planting, growing and harvesting of crops for consumption or use by humans or livestock, and includes also the breeding, raising and butchering of domesticated animals for human use or consumption, the production of eggs, milk and dairy products, and the keeping of bees and the production of honey and honey bee products.

Commission means the Farmland Preservation and Agriculture Commission created by Section 15-1.

Member means a member of the Commission.

NMSA 1978 means the New Mexico Statutes Annotated, 1978 edition, as amended and supplemented.

Section 15-3. Membership of commission.

(a) The Commission shall consist of five (5) members, who shall be appointed for staggered terms of two (2) years each by the Mayor, with the advice and consent of the Governing Body. Members will be selected on the basis of information provided in letters of interest and statements of qualifications submitted to the Village by prospective members. The Mayor and the Governing Body, in their respective discretion may interview prospective members to learn more about their interest and qualifications to serve as members of the commission.

(b) Commission members should possess a diversity of skills, knowledge and experience, particularly skills, knowledge and experience related to farming, the use of land for agriculture, and land preservation and acquisition for agricultural purposes. Members should have an interest in supporting land preservation strategies and in creating fair and achievable implementation methods. Members at the time of appointment shall not have any financial interest in properties that have been identified for potential acquisition or preservation as farmland by the Village or cooperating agencies.

(c) The members of the Commission shall serve without compensation.

Section 15-4. Officers.

The Commission shall select from among its members a chairperson and a vice chairperson, and shall designate a secretary, who may but need not be member of the Commission, to keep records of the Commission's proceedings.

Section 15-5. Meetings.

(a) The Commission shall meet at least quarterly, or as required for the transaction of business coming before it. The Commission shall adopt such rules of procedure, as the Commission deems appropriate for the conduct of its business. The Commission shall at least annually in a public meeting adopt a resolution establishing what notice for a public meeting is reasonable when applied to the Commission, in accordance with Section 10-15-1(D), NMSA 1978. All meetings of the Commission shall be conducted in accordance with such resolution then in effect.

(b) The Commission, in accordance with the procedures set forth in the Open Meetings Act (Section 10-15-1 *et seq.*, NMSA 1978), may close to the public a meeting or any portion thereof for discussion of matters enumerated in Section 10-15-1(H), NMSA 1978, including but not limited to meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the Village.

(c) In developing any recommendations or materials for submittal to the Village administration and the Governing Body, the Commission members shall seek to reach a consensus of all members on the issues presented. Nonetheless, in the event consensus is not achieved, the Commission may proceed to take action upon a majority vote of the members present constituting a quorum of the Commission. Commission members dissenting from any vote of a majority on a matter to be presented to the Village administration or the Governing Body may prepare a letter or letters stating their reasons for dissent from the recommendation of the majority, and such letter or letters shall be forwarded to the administration or the Governing Body, as appropriate, along with the majority recommendation.

Section 15-6. Duties.

(a) *Mission statement.* The Commission shall assist the Village in providing for the preservation of farmland, open space and viewsheds; supporting the economic viability of agricultural businesses in the Village; preserving the agricultural character of the Village; and providing for the local production and marketing of agricultural products to provide a sustainable supply of local food and other agricultural products for the residents of the Village.

(b) *Conservation easements and acquisitions of real property.* The Commission shall provide advice and assistance to the Village in connection with the protection of farmland by means of conservation easements and the acquisition of land and water rights by the Village or

by other purchasers for the purpose of preserving it as farmland or open space. The Commission shall have the power, authority and duty:

- (1) To ~~seek~~ **recommend** funding sources, including but not limited to donations and grants, to promote the preservation of farmland and open space, and in connection therewith to **help** prepare grant applications ~~for review by the Village administration and submittal on behalf of the Village~~ **that shall then be submitted by the Village administration;**
- (2) To recommend criteria for qualifying properties and property owners and the ranking of properties for potential creation of conservation easements;
- (3) To develop and implement a procedure for responding to and negotiating with interested property owners and applicants for conservation easements;
- (4) To develop, rank, and present to the Governing Body for its consideration completed applications for the purchase of conservation easements;
- (5) To make recommendations to the Village administration and the Governing Body regarding potential acquisition of real property, including water rights, by the Village and cooperating entities for the purpose of preserving it as farmland or open space; and
- (6) To seek and identify qualified professionals to provide services necessary to complete the acquisition of conservation easements and other property interests for the preservation of farmland or open space for conservation purposes **that the Village Administration may then enter into contractual agreements with.**

(c) *Support and encouragement of agricultural production.* The Commission shall provide recommendations and assistance to the Village for the support of the continued economic viability of agricultural production in the Village, with the intent that the economic security of farmers and the food security of Village residents generally will be enhanced by the local production and consumption of agricultural products. For these purposes, the Commission shall have the power, authority, and duty:

- (1) To conduct research and provide advice and recommendations to the Governing Body regarding Village ordinances, resolutions, policies and procedures to enhance the economic viability of agricultural businesses as a way of life in the Village;
- (2) To seek funding sources including donations and grants to promote the conservation of farmland and promote, support and assist sustainable agricultural production practices;
- (3) To create educational strategies, materials and events on land conservation techniques and the promotion and practice of agricultural production; and

- (4) To seek ways to encourage farmland conservation, sustainable agricultural production techniques, and access to secure, sustainable community food resources.

(d) *Management of Village farmlands.* The Commission shall provide recommendations and assist the Village in developing agreements and programs related to the use of Village-owned properties for agriculture-related activities, including particularly the use of Village-owned properties that are subject to conservation easements. For these purposes the Commission shall have the power, authority and duty:

- (1) To advise the Village and prepare recommendations for consideration by the Governing Body with regard to policies for the appropriate use of farmland owned by the Village for purposes benefiting the Village and its residents;
- (2) To develop procurement strategies, policies, procedures and materials, including requests for proposals, for consideration by the Governing Body in connection with the identification and selection of qualified farmers and other professionals to manage Village-owned farmlands pursuant to leases, licenses, or other forms of agreement with the Village;
- (3) When requested by the Mayor or the Village's procurement officer, to serve as a selection committee for the evaluation of proposals or bid documents received in connection with procurements relating to farmlands owned by the Village and to make recommendations to the Governing Body in connection with such procurements; and
- (4) To advise the Governing Body with regard to appropriate and suitable contract terms, including fees or rents, for the use of farmlands owned by the Village, and when requested negotiate the terms of proposed contracts relating to the use of Village-owned farmlands, for consideration by the Governing Body.

CHANGES TO CHAPTER 34:

Ordinance Part 4: The following Sections 34-76 and 34-77 of the Village Code are hereby **ADOPTED**, and shall be codified in new **Article VI. ADVISORY BOARDS** of Chapter 34:

Section 34-76. Bicycle-Pedestrian Advisory Commission.

(a) *Organization and membership.* The Bicycle-Pedestrian Advisory Commission shall consist of ~~five (5)~~ seven (7) members appointed by the Mayor with the advice and consent of the Governing Body.

(b) *Terms of office.* Members of the Bicycle-Pedestrian Advisory Commission shall be appointed for staggered terms of two (2) years. In the event of a vacancy on the Commission, the Mayor with the advice and consent of the Governing Body shall appoint a new member to fill the position during the unexpired remainder of the term.

(c) *Meetings.* The Bicycle-Pedestrian Advisory Commission shall meet at least quarterly, and more frequently if required or as determined by the Commission and its officers. Notice and agendas of all meetings shall be posted in advance of the meeting as required by the New Mexico Open Meetings Act, Section 10-15-1 *et seq.*, NMSA 1978.

(d) *Duties.* The Bicycle-Pedestrian Advisory Commission shall advise and make recommendations to the Governing Body on matters relating to bicycle and pedestrian transportation, including but not limited to:

- (1) ways to encourage bicycle and pedestrian transportation;
- (2) assisting the Village in the acquisition of funding for safety education, programs, events, and other supportive activities for its citizens and visitors who choose to travel by walking and bicycling;
- (3) the development of designated paths, routes, bikeways and lanes; and
- (4) recommendations for ordinances or other actions of the Governing Body to enhance the safety and convenience of bicycle and pedestrian transportation.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: The new and amended sections and subsections of the Village Code adopted pursuant to this Ordinance (not including Ordinance Part 16) shall be compiled as a part of the Code of Ordinances of the Village of Corrales, as provided herein.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 12th day of September , 2023

APPROVED:


James F. Fahey, Jr, MD, Mayor

ATTEST:


Melanie L. Romero
Village Clerk