



47 the Status of Woman for her contributions to the Community.

48

49 Susan Rinaldi was recognized for administering the GED program for the Youth Conservation  
50 Corp.

51

52 A video was shown with all the accomplishment to date on the Wine Museum by  
53 the Youth Conservation Corp and at the Molina by the Downtown Rail Runner Station.

54

55 **PRESENTATIONS: 6a) UNM Sandoval Regional Medical Center. Presenter Anthony**  
56 **Masciotra, UNM**

57 Anthony Masciotra from UNM gave a brief presentation on the UNM Sandoval Regional  
58 Medical Center. He asked for the support of the Mayor and Council on the Sandoval County  
59 Hospitals Mil Levy on the November 4, 2008 General Election Ballot.

60

61 **PRESENTATIONS: 6b) Regional Transportation Gross Receipts Tax. Presenter**  
62 **Bruce Rizzieri, MRCOG**

63 Bruce Rizzieri of MRCOG gave a brief presentation on the Regional Transportation Gross  
64 Receipt Tax on the November 4, 2008 General Election Ballot. He asked for the support of the  
65 Mayor and Council.

66

67 **Approval of Minutes 7a) Regular Meeting of October 13, 2008**

68 Councilor Jaramillo moved to approve the minutes of October 13, 2008 as presented. The motion  
69 was second by Councilor Montoya carried unanimously.

70

71 **NEW BUSINESS: 8a) Discussion, Consideration, and Action on Approval of**  
72 **Resolution 10/13/08 A Resolution Authorization to Submit an Application for Funding**  
73 **Assistance to the New Mexico Water Trust Board. Presenter: Maria Rinaldi**

74

75

## **RESOLUTION 10-27-08**

76

77

### **AUTHORIZATION TO SUBMIT AN APPLICATION FOR FUNDING ASSISTANCE TO THE NEW MEXICO WATER TRUST BOARD**

78

79

80

81 **WHEREAS** the Town of Bernalillo desires to reuse effluent that is currently being discharged  
82 into the Rio Grande by means of irrigating fields within Rotary Park that are currently being  
83 irrigated with potable water, and

84

85 **WHEREAS** the Town of Bernalillo desires funding assistance to develop this effluent  
86 reuse/drinking water conservation project from the NM Water Trust Board, and

87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127

**WHEREAS** the NM Water Trust Board desires to assure full support of the governing body of each entity desiring to submit such applications for funding assistance, and

**WHEREAS** it is in the public interest to give complete and full public notice of that approval.

**NOW THEREFORE be it resolved that the Town of Bernalillo** does hereby authorize the submittal of a funding application to the NM Water Trust Board for the aforementioned project.

A brief general discussion by the Council ensued. The Council's concerns were: Where would the gray water project take place? Bob Paulette of Wilson and Company indicated it would be for all the grass and trees at Rotary Park. The conservation of water would be 12,000,000 gallons per year, which would equal 13 acre feet.

Mayor Chávez entertained a motion.

Councilor Sisneros made a motion to approve Resolution 10/27/08 a Resolution Authorization to Submit an Application for Funding Assistance to the New Mexico Water Trust Board. Councilor Jaramillo seconded the motion and carried unanimously.

**NEW BUSINESS: 8b) Discussion, Consideration, and Action on Approval of Construction Oversight Agreement between New Mexico Department of Labor and the Town of Bernalillo District 3 for NM 313 Street Scape Enhancement Project. Presenter: Maria Rinaldi**

The Cooperative Project Agreement, herein referred to as the "Agreement" is made and entered into this 27<sup>th</sup> day of October, 2008, by and between the New Mexico Department of Transportation, herein referred to as the "Department," and the Town of Bernalillo, herein referred to as the "Town", collectively referred to as the "Parties" all of who agree as follows:

**RECITALS**

Whereas, the Department has authority to enter into this Agreement and conduct negotiations concerning issues of mutual concern which the Town pursuant to laws of the State of New Mexico, particularly NMSA 1978, 67-3-6 as amended; and

Whereas, the Town has the authority to enter into this Agreement and conduct negotiations concerning issues of mutual concern with the Department; and

Whereas, the Project is defined as: NM313 mainstreet and safety improvements including on-street parking, left-turn lanes, raised medians, pedestrian crossings and ADA improvements,

128 along with necessary repair of existing sidewalks, curb and gutter; and

129

130           Whereas, the Project will be implemented in three phases; Phase one: Avenida Bernalillo  
131 to Calle del Presidente; Phase Two: Called del Norte to US 550; and Phase Three: Calle del  
132 Presidente to Calle del Norte; and

133

134           Whereas, the Project is located in the Albuquerque Metropolitan Planning Area (AMAP)  
135 and defined in the Transportation Improvement Plan (TIP) for the AMPA 2008-2013 as TIP ID  
136 Number 382;

137

138           Whereas, the Department and the Town agree to work cooperatively in the construction  
139 of the improvements, hereafter referred to as the "Project"

140

141           Whereas, this Agreement will provide for an understanding of each Party's  
142 responsibilities for construction and maintenance of the Project (as hereinafter defined); and

143

144           Whereas, it is understood that should any of the Parties not fulfill the terms of this  
145 Agreement, the Agreement shall become null and void; and

146

147           Whereas, it is further understood that implementation of the Project is contingent upon  
148 project development approval and project authorization from the Federal Highway  
149 Administration and that in the event such approval is not obtained the Agreement shall become  
150 null and void.

151

152 A brief general discussion by the Council ensued. The Council's concerns were: South of  
153 Avenida Bernalillo and North of HWY 550 to be included in the agreement. Maria Rinaldi  
154 indicated that the agreement at hand only included the project noted and South of Avenida and  
155 North of HWY 550 could not be included for funding purposes to the agreement at hand. As we  
156 proceed with application for additional funds, the documentation of South of Avenida Bernalillo  
157 and North of HWY 550 will be included.

158

159 Mayor Chávez entertained a motion.

160

161 Councilor Montoya made a motion to approve the Construction Oversight Agreement between  
162 New Mexico Department of Transportation and the Town of Bernalillo District 3 for NM 313  
163 Street Scape Enhancement Project. Councilor Jaramillo seconded the motion.

164

165 Roll Call Vote

166

167 Councilor Torres   Yea

168 Councilor Sisneros   Yea

169 Councilor Jaramillo Yea  
170 Councilor Montoya Yea

171

172 **NEW BUSINESS: 8c) Discussion, Consideration, and Action of Cooperative Project**  
173 **Agreement for Advance Construction of Camino Don Tomas. Presenter: Maria Rinaldi**

174

175 ***Cooperative Project Agreement***

176 This Agreement is made and entered into this 27<sup>th</sup> day of October, 2008, by and between the  
177 New Mexico Department of Transportation, herein referred to as "Department," and the Town of  
178 Bernalillo, herein referred to "Town."

179

180 ***Section One: Purpose***

181 The purpose of this Agreement is to specify and delineate the rights and duties of the  
182 parties hereto as outlined in Section Two. This Project shall hereinafter be referred to parties  
183 hereto as outlined in Section Two. This Project shall hereinafter be referred to interchangeably  
184 as "Project" Or " Project Control No. L3310," The Project is a joint and coordinated effort for  
185 which the Department and the Town each have authority or jurisdiction.

186

187 ***Section Two: Project Funding by Parties***

188 **I.** The total funding for Project Control NO. L3310 is One Million, Four Hundred Sixty  
189 Three Thousand, Fifteen Dollars, (\$1,463,015) to be funded in proportional share by the  
190 parties here to as follows:

191 **A. 2010 STP-Urban Funds 85.44% share \$250,000**

192 For Camino Don Tomas from Calle Don Francisco

193 To US 550. Scope of the project is to reconstruct

194 Two Lanes and/improve sidewalks.

195 **2010-2012 STP-Urban Funds 85.44% share \$1,000,000**

196

197 **B. 2010-2012 Town of Bernalillo 14.56% share \$213,015**

198 **C. The Total Project Funding \$1,463,015**

199

200

201 **2.** The Town of Bernalillo has requested that Advanced Construction Procedures be  
202 implemented to allow Project Control No. L3310 to proceed through construction. Local  
203 funds will be utilized to finance the project now in anticipation of future federal aid  
204 reimbursement. Federal funds are currently programmed in 2010 and 2012 of the  
205 Albuquerque Metropolitan Planning Area Transportation Improvements Program (TIP)  
206 in the amount of \$292,603 and \$1,170,412 respectively. It is the responsibility of the  
207 Town of Bernalillo through the Metropolitan Planning Organization process to ensure  
208 that the funding amounts in the given years referenced in this Agreement remain  
209 programmed in those given years. Although the federal funds referenced in this

210 Agreement are contained in the fiscally-constrained TIP, there is no guarantee that  
211 federal funding will be appropriated in sufficient amounts to allow their disbursements as  
212 outlined in this Agreement. In the event that the programmed and/or appropriated  
213 amounts are wither not issued to the State of New Mexico or do not allow full funding  
214 under this Agreement, the Town of Bernalillo accepts full risk for all project costs and  
215 understands that reimbursement will not be forthcoming. Project Control No. L3310 will  
216 remain in “active” status until a final determination has been made regarding possible  
217 reimbursement of project cost from federal aid sources.  
218

219 3. The Town shall pay all Project cost that exceeds the total funding amount.  
220

221  
222 A brief general discussion by the Council ensued. The Councils concerns were: Will the project  
223 be phased? Maria Rinaldi indicated that the Project will be completed. This will change the  
224 designation of this street to a Major Arterial.  
225

226 Mayor Chávez entertained a motion.  
227

228 Councilor Torres made a motion to approve the Cooperative Project Agreement for Advanced  
229 Construction of Camino Don Tomas. Councilor Sisneros seconded the motion.  
230

231 Roll Call Vote  
232

233 Councilor Sisneros Yea  
234 Councilor Montoya Yea  
235 Councilor Torres Yea  
236 Councilor Jaramillo Yea  
237

238 **FINANCIAL SECTION: 10a) Approval of General Fund Vouchers #35610-#35704.**

239 Councilor Torres moved to approve the General Fund Vouchers #35610-#35704 as presented.  
240 The motion was seconded by Councilor Jaramillo and carried unanimously.  
241

242 **FINANCIAL SECTION: 10b) Approval of Utility Fund Vouchers #64937-#64969.**

243 Councilor Torres moved to approve the Utility Fund Vouchers #64937- #64969 as presented.  
244 The motion was seconded by Councilor Sisneros and carried unanimously.  
245

246 **FINANCIAL SECTION: 10c) Approval of MVD Fund Vouchers #66872-#66875**

247 Councilor Sisneros moved to approve the MVD Fund Vouchers #66872-#66875 as presented.  
248 The motion was seconded by Councilor Torres and carried unanimously.  
249

250 **FINANCIAL SECTION: 10d) Approval of Housing Low Rent Vouchers #6942LR-**

251                    **#6964LR**  
252            Councilor Jaramillo to approve the Housing Low Rent Vouchers #6942LR-#6964LR as  
253            presented. The motion was seconded by Councilor Torres and carried uaimously.  
254

255                    **FINANCIAL SECTION: 10e) Approval of Waste Water Treatment Plant Vouchers**  
256                    **#71-#73**

257            Councilor Jaramillo moved to approve the Waste Water Treatment Plant Vouchers #71-73  
258            as presented. The motion was seconded by Councilor Torres and carried unanimously.  
259

260                    There being no further business the meeting was adjourned at 8:47P.M.

261  
262            Done this 27th day of October 2008.

263  
264  
265            ATTEST:

266  
267 \_\_\_\_\_  
268            Ida Fierro, Town Clerk  
269            (seal)

\_\_\_\_\_

Patricia A. Chávez, Mayor