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**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
October 26, 2009**

6 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
7 of the Town on October 26, 2009, at 6:30 P.M.

8 Upon Roll call the following members were found to be present:

10 **PRESENT:**

11 Mayor Chávez
12 Councilor Jaramillo
13 Councilor Sisneros
14 Councilor Torres
15 Councilor Montoya

ALSO PRESENT:

Maria Rinaldi Santiago Chavez
Fred Radosevich James Pike
Elisa Balli Bob Paulette
John Estrada Melissa Chavez

17 **ABSENT:**

Others Present Not Identified

19 **APPROVAL OF AGENDA: 4a)**

20 Councilor Torres moved to approve the agenda as presented. The motion was seconded by
21 Councilor Sisneros and the motion carried unanimously.

23 **PRESENTATION: 4b) Award of Firefighter Grant. Presenter: Chief John Estrada**

24 Chief John Estrada presented the details for the Federal Emergency Management Agency
25 and the Department of Homeland Security Grant awarded to the Fire Department in the amount
26 of \$185,594.

28 **APPROVAL OF MINUTES 5a) Regular Meeting of October 13, 2009**

29 Councilor Jaramillo moved to approve the minutes of October 13, 2009 as presented. The motion
30 was second by Councilor Montoya and the motion carried unanimously.

32 **PERSONNEL: 6a) Housing Financial Administration Manager (1). Presenter**
33 **Yolanda Mora**

34 Yolanda Mora stated that it was the recommendation of the selection committee to hire Christina
35 Sanchez as Housing Financial Administration Manager for the Town of Bernalillo Housing
36 Department.

37
38 Councilor Torres moved to approve the hiring of Christina Sanchez as Housing Financial
39 Administration Manager for the Town of Bernalillo Housing Department. The motion was
40 seconded by Councilor Montoya and the motion carried unanimously.

42 **PERSONNEL: 6b) Recreational Aide (1). Presenter: Yolanda Mora**

43 Yolanda Mora stated that it was the recommendation of the selection committee to hire Amanda
44 Garcia as Recreation Aide for the Town of Bernalillo Recreation Department.

45

46 Councilor Torres moved to approve the hiring of Amanda Garcia as Recreation Aide for the
47 Town of Bernalillo Recreation Department. The motion was seconded by Councilor Jaramillo
48 and the motion carried unanimously.
49

50 **NEW BUSINESS8 7a) Discussion, Consideration and Action on Adoption of**
51 **Resolution 10/26/09 Opposing Legislation Granting Repealing of the Hold Harmless**
52 **Provision. Presenter: Santiago Chavez**

53 **RESOLUTION NO. 10-26-2009**

54
55 **OPPOSING LEGISLATION GRANTING REPEALING**
56 **THE HOLD HARMLESS PROVISION**
57

58 **WHEREAS**, HB 625 removed the gross receipts tax from food and certain health care
59 services; and
60

61 **WHEREAS**, to offset the loss revenue municipalities would incur due to this removal,
62 HB 625 contained a hold harmless provision that provided for a new distribution formula; and
63

64 **WHEREAS**, the State of New Mexico is currently experiencing a serious shortfall of
65 revenues resulting in a deficit in the range of \$600 to \$700 million dollars for FY 2010; and
66

67 **WHEREAS**, Governor Richardson has called a Special Legislative Session to address
68 the serious shortfall of revenues for the state budget; and
69

70 **WHEREAS**, the Legislature may be considering repealing the food and medical hold
71 harmless provision for local governments as part of their efforts at addressing the deficit; and
72

73 **WHEREAS**, if the Legislature did repeal the hold harmless provision, the Town would
74 receive approximately \$1,028,247 less in gross receipts distributions, and
75

76 **WHEREAS**, the impact to the Town's general fund resulting from such a repeal will
77 result in a deficit for fiscal year 2010, and
78

79 **WHEREAS**, said action would further have a crippling impact on future infrastructure
80 projects, street capital projects, flood control projects, street maintenance, water improvements
81 project, economic development, and other uses specially authorized by the residents of the Town
82 when they authorized the imposition of additional gross receipt taxes.
83

84 **NOW, THEREFORE BE IT RESOLVED** by the Town of Bernalillo Council that we
85 hereby oppose any effort to balance the State's budget on the backs of local government
86 including any proposal to repeal the hold harmless provision.
87

88 **BE IT FURTHER RESOLVED**, that the Town Clerk is hereby requested to distribute a

89 certified copy of this Resolution to our local state legislative officials.

90

91 Mayor Chávez entertained a motion for the Adoption of Resolution 10/26/09 Opposing
92 Legislation Granting Repealing of the Hold Harmless Provision.

93

94 Councilor Sisneros moved to Adopt Resolution 10/26/09 Opposing Legislation Granting
95 Repealing of the Hold Harmless Provision. The motion was seconded by Councilor Jaramillo and
96 the motion carried unanimously.

97

98 **NEW BUSINESS: 7b) Discussion, Consideration and Action on Award of Contract**
99 **to Cleary Building Corp for Phase 2 of the Westside Department of Public Safety.**

100 **Presenter Maria Rinaldi**

101

102 Maria Rinaldi recommended the Award of Contract for the Phase 2 of the Westside Department
103 of Public Safety be awarded to Cleary Building Corp. in the amount of \$630,574.00.

104

105 Mayor Chávez entertained a motion for the Award of Contract to Clearly Building Corp.
106 for Phase 2 of the Westside Department of Public Safety Building.

107

108 Councilor Montoya moved to award the contract to Cleary Building Corp. for Phase 2 of the
109 Westside Department of Public Safety Building. The motion was seconded by Councilor Torres
110 and the motion carried unanimously.

111

112 **NEW BUSINESS8 7c) Discussion, Consideration and Action on Adoption of**
113 **Resolution 10/26/09A Authorization to Submit an Application for Funding Assistance to**
114 **the New Mexico Water Trust Board. Presenter: Maria Rinaldi**

115

RESOLUTION 10-26-09A

116

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

119

120

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

124

125 **WHEREAS** the Town of Bernalillo has received funding from the Water Trust Board in the
126 amount of \$382,105, and

127

128 **WHERAS** the full funding required for this project (excluding local funds) is \$850,000, and

129

130 **WHEREAS** the Town of Bernalillo desires additional funding assistance to develop this effluent

131 reuse/drinking water conservation project from the NM Water Trust Board, and

132

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

135

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

137

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

140

141 Mayor Chávez entertained a motion for the Adoption of Resolution 10/26/09A
142 Authorization to Submit an Application for Funding to The New Mexico Water Trust Board.

143

144 Councilor Jaramillo moved to Adopt Resolution 10/26/09A Authorization to Submit an
145 Application for Funding to The New Mexico Water Trust Board. The motion was seconded by
146 Councilor Montoya and the motion carried unanimously.

147

148 **FINANCIAL SECTION:8a) Approval of Account Payable List.**

149 Mayor Chávez asked for a motion to approve the accounts payable voucher list in the amount of
150 \$364,459.27.

151

152 Councilor Jaramillo made a motion to approve the accounts payable voucher list in the amount of
153 \$364,459.27. The motion was seconded by Councilor Torres and the motion carried
154 unanimously.

155

156 There being no further business, the meeting was adjourned at 7:08P.M.

157

158 Done this 26th day of October 2009.

159

160 ATTEST:

161

162

163 _____
164 Ida Fierro, Town Clerk

165

166

(seal)

Patricia A. Chávez, Mayor