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**MINUTES OF A REGULAR MEETING  
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO  
HELD AT THE TOWN HALL  
April 11, 2011**

6 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules  
7 of the Town on April 11, 2011, at 6:30 P.M.

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

10 **PRESENT:**

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

**ALSO PRESENT:**

Mike Moloney      James Pike  
Denise Olivas      Margie Amiot  
Steve Amiot      Mike Moloney  
Jim Hooper      Gary Gaylord  
Rick Bela      George Perez  
Zenon Cruz

19 **ABSENT:**

**Others Present Not Identified**

20  
21 **APPROVAL OF AGENDA: 4a)**

22 Ida Fierro, Town Clerk asked that Budget Review Miscellaneous 10c) be added to the agenda.

23  
24 Councilor Prairie moved to approve the agenda as amended. The motion was seconded by  
25 Councilor Sisneros and motion carried unanimously.

26  
27 **PUBLIC HEARING: 5a) Discussion, Consideration, and Action to Approve the**  
28 **Planning and Zoning decision to grant the Zone Change from Rural Residential to**  
29 **Commercial for a Manufactured Stone Sales Business. By: Zenon Cruz**

30 Zenon Cruz stated that the request is for a zone change on property located at the Westside of  
31 528 south of the truss company. It is currently a rural residential and we would like to request it  
32 be changed to commercial C-1. It is a 3 acre lot.

33  
34 Councilor Jaramillo asked what the property was being used for now.

35  
36 Zenon Cruz stated there is nothing there right now.

37  
38 Councilor Prairie asked if the property was where the three cabins were and if it was fenced in.

39  
40 Zenon Cruz stated yes that is the property and it is fenced in.

41  
42 Councilor Sisneros asked what are the future plans for the home the garage on the property.

43  
44 Zenon Cruz stated the intention in the future is to tear it all down. We would like to put several  
45 restaurants in that area. We have been talking to Procast Stone it is a man made stone  
46 manufacturing company out of Espanola. It would be on a one acre lot on Lot 2. The location

47 would only be for retail sales only.

48

49 Mayor Torres wanted to clarify on the third page of the information in your packet there is a  
50 notice of a public hearing it states it if for a rural residential to commercial and a Conditional Use  
51 Permit. That is redundant this hearing is to grant a zone change from rural residential to  
52 commercial.

53

54 Councilor Sisneros stated he noticed there is a driveway into lot 2 and 3. Has NMDOT granted a  
55 permit?

56

57 Zenon Cruz stated yes there had and presented the permit to the Governing Body.

58

59 Councilor Jaramillo asked what the parcels close to there are.

60

61 Zenon Cruz stated he was not sure but the property close to them was light industrial.

62

63 Councilor Sisneros asked if Mr. Cruz knew where the utilities were.

64

65 Zenon Cruz stated they are near Lot 2 right outside the gate.

66

67 Councilor Sisneros asked has NMDOT requested a turn in lane to the property.

68

69 Zenon Cruz asked such as deceleration lane.

70

71 Councilor Sisneros stated yes.

72

73 Zenon Cruz stated there has not been.

74

75 Councilor Jaramillo are there any water rights to the property.

76

77 Zenon Cruz stated there is not.

78

79 Councilor Sisneros asked when the business will come in.

80

81 Zenon Cruz stated that once the approval of the zone change it would take about a month to  
82 come in including cleaning up the property. Denise Olivas, property owner stated that in the  
83 sample brochure is how the building will look and the set up of the product. Right now there  
84 will be a 12 by 24 portable office building.

85

86 Mayor Torres asked is lot 2 only going to be used for the business but the request is for lots 1-3.

87

88 Zenon Cruz stated that yes the business will be on Lot 2 but the request is for the total property to  
89 be rezoned C-1.

90

91 Councilor Sisneros asked if there is access to the property from Chavez Lane.

92

93 Zenon Cruz stated that no, there is no access to the property from Chavez Lane.

94

95 Mayor Torres asked do you know how many large trucks will be coming to the site.

96

97 Denise Olivas stated that the plan is once a week. Any large orders would be delivered directly  
98 to the job sites.

99

100 Councilor Montoya asked was there going to be any concrete or asphalt or was the stone going to  
101 be placed on the ground for display and sales.

102

103 Denise Olivas stated that it would be directly on the ground.

104

105 Mayor Torres stated that this is Public Hearing and asked if anyone in the audience wanted to  
106 speak for or against the Zone Change.

107

108 There were no members of the public that wished to speak for or against the Zone Change.

109

110 Mayor Torres entertained a motion.

111

112 Councilor Sisneros made a motion to grant a zone change from Rural Residential to Commercial  
113 C-1 for a Manufactured Stone Sales Business for 1059 HWY 528.

114

115 Roll Call Vote

116

117 Councilor Montoya Yea

118 Councilor Jaramillo Yea

119 Councilor Sisneros Yea

120 Councilor Prairie Yea

121

122 **PROCLAMATION: 6a) National Fair Housing Month**

123

124

### PROCLAMATION

125

126 **Whereas**, the National Fair Housing Law of 1968, as amended, prohibits discrimination in  
127 housing and declares it a national policy to provide, within constitutional limits, for fair housing  
128 in the United States of America, and

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**Whereas**, the principles of Fair Housing are not only national law and national policy, but a fundamental human concept and entitlement for all Americans, and

**Whereas**, the anniversary of the National Fair Housing Law, during the month of April, provides an opportunity for us as a Town to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all residents of Bernalillo.

**Now therefore, I, Jack Torres, Mayor of the Town of Bernalillo, do hereby proclaim April, 2011 as**

**FAIR HOUSING MONTH**

in the town of Bernalillo and do hereby urge all the citizens of this town to become aware of and support the Fair Housing Law.

Done this 11<sup>th</sup> day of April, 2011.

**APPROVAL OF MINUTES: 7a) Regular Meeting of March 28, 2011**

Councilor Jaramillo moved to approve the minutes of March 28, 2011 as presented. The motion was seconded by Councilor Montoya and the motion carried unanimously.

**NEW BUSINESS: 8a) Discussion, Consideration and Action on Adoption of Resolution 04/11/11 Low Rent Public Housing Operating Budget and Five-Year Annual Plan for Fiscal Year 2011(Ending June 30 2012. Presenter: Rick Bela**

RESOLUTION 04-11-11

A RESOLUTION ADOPTING  
THE LOW RENT PUBLIC HOUSING OPERATING BUDGET AND FIVE-YEAR AND  
ANNUAL PLAN FOR FISCAL YEAR 2012 (ENDING JUNE 30, 2012)  
FOR  
THE TOWN OF BERNALILLO DEPARTMENT OF HOUSING SERVICES

WHEREAS, the Town of Bernalillo has entered into an annual Contributions Contract with the United States Government, Department of Housing and Urban Development (HUD), and in accordance therewith has provided for the development and operation of dwelling units for low income residents of the Town of Bernalillo and Sandoval County; and

170 WHEREAS, the Town of Bernalillo Town Council, is the governing body of the Town of  
171 Bernalillo Department of Housing Services; and

172  
173 WHEREAS, the Town of Bernalillo Department of Housing Services has prepared its  
174 OPERATING BUDGET and FIVE-YEAR AND ANNUAL PLAN” for the period of July 1,  
175 2011 to June 30, 2012 (FY 2012) in a manner prescribed by HUD, a copy of which has been  
176 provided to Council which includes the following documents:

- 177  
178 1. The FY 2012 Operating Budget - Forms HUD-52564, 566, 567, 571 and 573.  
179 2. PHA 5-YEAR AND ANNUAL PLAN - Form HUD-50075.  
180 3. Attachments to 5-YEAR AND ANNUAL PLAN - Certificate of Consistency, HUD-50077,  
181 070, 071, Standard Forms LLL and LLL-A, Comments, and Challenged Elements to the  
182 Plan.  
183 4. Capital Fund Program Plan and Five-Year Capital Improvement Plan – Summary of  
184 Physical Assessment Report, Schedule of Itemized Costs of Improvements, HUD-50075.1  
185 for CFP '08, '09, '10 and HUD-5005.2.

186  
187 WHEREAS, the Town of Bernalillo Town Council, as the governing body of the Town of  
188 Bernalillo Housing Services Department, and in accordance with 24 CFR 990.315, has reviewed  
189 and approved the PHA OPERATING BUDGET and FIVE-YEAR AND ANNUAL PLAN and  
190 its supportive documents for the period of July 1, 2011 to June 30, 2012 (FY 2012);

191  
192 NOW, THEREFORE, BE IT RESOLVED THAT the Town Council of the Town of Bernalillo,  
193 as the governing body of the Department of Housing Services, a HUD Housing Agency grantee,  
194 DOES HEREBY APPROVE AND ADOPT the OPERATING BUDGET and FIVE- YEAR  
195 AND ANNUAL PLAN, and its supportive documents and HUD forms, a copy of which has been  
196 provided to Council.

197  
198 Mayor Torres updated the Council on the current status of HUD. There are serious concerns  
199 about the management of the Housing Department and continued management of the Housing  
200 Department by the Town of Bernalillo. Juan Torres, Ida Fierro, Rick Bela and I met with HUD  
201 about a week ago. We have had a meeting with the staff from the Town of Bernalillo Housing  
202 Department as well. At the end of the meeting with HUD I asked for a formal letter from HUD  
203 stating the issues in writing to date. We have not received anything. A number of issues were  
204 raised. A few of them were 11 of the past 12 years the housing department has been a troubled  
205 agency. Several years ago a task force from HUD was sent that helps troubled agencies and was  
206 here four or five years to address the issues that the Housing Department had. Assurance from  
207 past administration were made and not followed through. Discussion came up as to what the  
208 future would be for the Town of Bernalillo Housing Department. HUD suggestion was the  
209 management of the Town of Bernalillo Housing be managed by a Regional Housing Department  
210 or a successful housing agency which are Bernalillo County, Santa Fe Civic or Socorro.





255 **Town of Bernalillo Credit Card Policy. Presenter: Ida Fierro**

256 **TOWN OF BERNALILLO**  
257 **CREDIT CARD POLICY**

258 **Statement of Purpose:**

259 The Goal of the Town of Bernalillo Credit Card Policy (“Policy”) shall be to ensure both  
260 compliance with the Town of Bernalillo Purchasing Policy and employee/department  
261 responsibility and accountability.

262

263 **POLICY:**

264

265 **EMPLOYEE/ELECTED OFFICAL ELIGIBILITY**

266 The Town Council shall approve the issuance of credit cards to specific employees (and elected  
267 officials). Each Employee shall thereby be entitled to use a Town credit card.

268

269 **PURCHASE/CREDIT CARD LIMITS**

270 The Town Treasurer shall submit credit limits for each card to the Town Council and obtain their  
271 approval for use.

272

273 **RANDOM AUDITS**

274 Cardholders are subject to random audits of expenses and record keeping by the Town Treasurer.

275 Any purchases made in contravention of either this Policy or the Purchasing Policy shall be  
276 reported by the Treasurer to the Town Administrator and the Mayor. Discovery of violation(s) of  
277 this policy may result in loss of card privileges and/or other disciplinary steps, as appropriate.

278 **TRANSACTIONS PERMITTED**

279 The following transactions are permitted, and shall be considered to have been made in  
280 agreement of this policy;

281

1. Office Supplies

282

2. Books and Subscriptions

283

3. Computer Supplies such as Software and Discs

284

4. Professional Membership Dues

285

5. Congratulatory or Sympathy Flowers

286

6. Catering for Approved Meal Expenses

287

7. Approved Travel

288

8. Approved Lodging

289

9. Approved or Appropriate Meals

290

10. Fuel for Town or Rental Vehicles

291

11. Any Expense Expressly Approved by the Town Treasurer or Mayor

292

**TRANSACTIONS NOT PERMITTED**

293 The following transactions are not permitted, and shall be considered to have been made in  
294 contravention of this policy;

- 295 1. Item for PERSONAL USE
- 296 2. Any Single Transaction Exceeding Limit on Card
- 297 3. Any Club Memberships
- 298 4. CASH Withdrawal
- 299 5. Purchase of Liquor
- 300 6. Any Expense Expressed not Approved by the Town Treasurer or Mayor
- 301 7. Non-Municipal Use
- 302 8. Temporary Help
- 303 9. Maintenance Contracts, Long-term Agreements, Rentals or Leasing of Equipment (with  
304 the exception of short term vehicle rentals required for travel purposes for conference,  
305 training or meetings).

306

307 **CARD HOLDER RESPONSIBILITIES**

308 Each cardholder shall recognize and accept the following responsibilities upon receipt of a Town  
309 of Bernalillo credit card:

- 310 1. Use the Town's credit card in accordance with this Policy and the Town's Purchasing  
311 Policy.
- 312 2. Ensure purchases are made in accordance with their signing authority, area of  
313 responsibility and departmental budget.
- 314 3. Ensure proper coding of expenditures.
- 315 4. Notify the Finance Department and the Town Treasurer if there are problems with the  
316 credit card, the card is lost or stolen or any other situation that would require notification  
317 of the Finance Department or the Town Treasurer.
- 318 5. Notify the Financial Institution immediately if their card is lost or stolen.
- 319 6. Log any items in dispute with the Financial Institution as soon as possible.
- 320 7. Retain accurate records including transaction records, purchase orders, and the  
321 accompanying detailed receipts and process for payment to accounts payable. After the  
322 cardholder reconciles the statement, the Cardholder will attach the receipts, purchase  
323 order, sign the statement and, if applicable, bring it forward to the Mayor to review and  
324 sign the statement for approval.
- 325 8. Cardholders are **NOT** to make direct payments on their account for personal purchases  
326 made in error; payment is to be provided to Accounts Payable.

327

328 **TOWN TREASURER RESPONSIBILITY**

329 The Town Treasurer shall:

- 330 1. Act immediately upon receipt of advice that abuse or irregularities are known or  
331 suspected.
- 332 2. Maintain records of all Cardholders.
- 333 3. Where required, notify the Financial Institution of transaction error/disputed charges and  
334 follow up on outstanding items on a periodic basis.
- 335 4. Ensure all card statements are reconciled by the appropriate employee, signed off and  
336 submitted on a regular basis.
- 337 5. Perform audits to detect possible violations. The audit selection criteria would include,  
338 but not limited to, meals over the total per diem allowance, air fare,  
339 miscellaneous/unusual/unique transactions, and random samples
- 340 6. Follow up with Cardholders as appropriate to investigate unusual transactions.
- 341 7. Cancel a card when the Cardholder is terminated from employment or an Elected Official  
342 term ends.
- 343 8. Follow up with the Financial Institution on lost/stolen cards to confirm the card is  
344 cancelled.

345 **RECONCILIATION AND PAYMENT**

346 The credit card carries corporate, not individual liability. Invoices will be paid by the Accounts  
347 Payable Department. Cardholders will not be required to pay the monthly statement using their  
348 own funds.

349 It is required that all receipts for goods and services purchased be retained. If goods/services are  
350 purchased via phone, mail or online, ask the vendor to include the receipt with the goods when  
351 the product is shipped.

352 Process of reconciliation:

- 353 1. Each cardholder will receive a statement identifying each transaction made against that  
354 card during the billing cycle. Statements will be received by the Finance Department  
355 and distributed to each cardholder in their mail slot. Statements must be reconciled by  
356 the cardholder against receipts for accuracy.
- 357 2. Forward your reconciled statement to the Finance Department for processing. All  
358 statements must be reconciled and returned to the Finance Department no later than 5  
359 days of receiving your statement. Failure of the cardholder to reconcile and return their  
360 statement within the allotted time causing the payment to be submitted late may result in  
361 the termination of card privileges.
- 362 3. All receipts will be maintained/stored by the Finance Department for audit purposes.
- 363 4. Although payment of the invoice will be made by Accounts Payable, activity may be  
364 audited at any time.

365 **DOCUMENTATION REQUIRED**

366 All records shall be maintained at the Cardholders work location until such time as they are  
367 reconciled and attached to the monthly card statement, and submitted to the Accounts Payable for  
368 review. Records must be complete copies of purchase information including receipts as well as  
369 transaction verification slips.

370  
371 **DISPUTED CHARGES, RETURNS AND ASSISTANCE**

372 In the event of disputed charges or a Cardholder has any questions, the Cardholder should contact  
373 the appropriate financial institution directly. In the event there are returns, the Cardholder must  
374 check to insure credit notices are issued by the vendor, and attach the credit slip to the statement  
375 when reconciled. If a credit slip was not obtained, attach other documentation explaining the  
376 return. If credit does not appear by the second subsequent statement, the Cardholder must  
377 contact the financial institution directly.

378 The Cardholder must also advise the Accounts Payable Department if there is a dispute. The  
379 Cardholder must also ensure that all required steps to register a dispute are followed.

380 Any charge to be disputed must be identified within 30 days of the statement date. The  
381 Cardholder is responsible for the transactions identified on the statement. If an audit is  
382 conducted on a cardholder's account, receipts must be produced and/or other proof that the  
383 transaction occurred. If an error is discovered, the cardholder is responsible to show that the  
384 error or dispute resolution process has been invoked.

385  
386 **LOST OR STOLEN CARDS**

387 The card assigned is the property, of the Town of Bernalillo and should be secured as a personal  
388 credit card would be. If the card is lost or has been stolen, or if the number becomes the  
389 knowledge of someone else, notify the Town Treasurer immediately.

390 Once a card is reported lost or stolen, the card will no longer be accepted at any vendor. Prompt  
391 action in these circumstances can reduce the Town's liability for fraudulent charges

392  
393 **TOWN OF BERNALILLO CREDIT CARD AGREEMENT**

394  
395

DEPARTMENT	CREDIT CARD NUMBER
NAME OF EMPLOYEE	ELECTED OFFICIAL

396  
397  
398

399 **Enclosed is your new Credit Card. Although the card is issued in your name, it is the**  
400 **property of the Town and must be used in accordance with the Town's policies and**  
401 **procedures and guidelines.**

402  
403 **By signing this Agreement you acknowledge that you have received the card indicated**  
404 **above and agree to comply with the following terms and conditions:**

- 405  
406 I. This card is provided to you based upon your need to purchase business-related  
407 goods and services in the course of employment with the Town. This card may be  
408 revoked at any time based on a change of assignment or location.  
409 II. This card is for business-related purchases only. Any use of this card for  
410 purchases of a personal nature is strictly prohibited.  
411 III. You are the only person entitled to use this card and you are responsible for all  
412 charges made against it.  
413 IV. Any unauthorized use of this card will considered an improper use of government  
414 funds and will be subject to appropriate disciplinary action.  
415 V. This card must be used in accordance with all town policies, procedures and  
416 guidelines respecting government purchasing and the use of cards as such  
417 policies, procedures and guidelines may from time to time be issued and amended.  
418 VI. Employee cards must be returned to the Town Treasurer immediately upon  
419 request and, the event, upon your resignation, retirement or dismissal. Elected  
420 Official cards must be returned to the Town Treasurer immediately upon the end  
421 of your term as an Elected Official. Once a card has been returned, no further use  
422 of this card will be authorized.

423 **As the holder of this card, you are responsible for its protection and safekeeping. If this**  
424 **card is lost or stolen you are required to advise immediately, the Town Treasurer.**  
425

426 \_\_\_\_\_  
427 **Signature of Cardholder**

426 \_\_\_\_\_  
427 **Date**

428  
429 A brief discussion ensued. Ida Fierro, Town Clerk stated this is one policy that the auditors  
430 advised we have in place. Juan Torres, Interim Town Treasurer and I will be presenting other  
431 policies suggested by the auditors for the finance department.  
432

433 Mayor Torres entertained a motion.  
434

435 Councilor Jaramillo made a motion to approve the credit card policy. The motion was seconded  
436 by Councilor Sisneros and the motion carried unanimously.  
437

438 **NEW BUSINESS: 8d) Discussion Consideration and Approval of Volunteer**  
439 **Application Form and Confidentiality Agreement. Presenter: Chief Julian Gonzalez**  
440 Chief Julian Gonzales stated there are several constituents that live in the Santiago subdivision  
441 that are retired business professional and would like to donate some of their time to the police  
442 department to help with filing and/or input of information. The form you have before you is a

443 volunteer application and a confidentiality agreement. George Perez, Town Attorney prepared  
444 the forms before you for the volunteers. A background check will be completed on the  
445 volunteers. Yolanda Mora, from Human Resources will administer the program.

446  
447 Mayor Torres entertained a motion.

448  
449 Councilor Prairie made a motion to approve the Volunteer Application Form and Confidentiality  
450 Agreement. The motion was seconded by Councilor Montoya and the motion carried  
451 unanimously.

452  
453 **FINANCIAL SECTION:8a) Approval of Accounts Payable Voucher List.**

454 Mayor Torres asked for a motion to approve the accounts payable voucher list in the amount of  
455 \$356,990.99.

456  
457 Councilor Montoya made a motion to approve the accounts payable voucher list in the amount of  
458 \$356,990.99. The motion was seconded by Councilor Jaramillo and the motion carried  
459 unanimously.

460  
461 **MISCELLANEOUS SECTION: 10a) Public Comment. Presenter: Mayor Torres**

462 Mayor Torres welcomed the Public to speak.

463  
464 James Pike asked how he could organize a Neighborhood Watch Program in the Mountain View  
465 area.

466  
467 Chief Julian Gonzales will relay the message to Sergeant Sanchez who is the community  
468 relations officer who will assist Mr. Pike.

469 .  
470 **MISCELLANEOUS SECTION:10b) No Burning in the Town of Bernalillo. Presenter:**  
471 **Chief Michael Carroll**

472 Chief Michael Carroll stated that due to extreme drought conditions there is no open burning in  
473 the Town of Bernalillo. There will be no burn permits issued. Those individuals that have  
474 purchased burn permits within the last week will be refunded their \$10.

475  
476 **MISCELLANEOUS SECTION: 10c) Financial Report. Presenter: Juan Torres**

477 Juan Torres, Interim Town Treasurer presented the financial report for the Council members.  
478 This is a true picture of where each department is at on their budgets. In the future the financial  
479 report will be presented to the Governing Body at the last meeting of the month.

480  
481 **MISCELLANEOUS SECTION:10d)Announcements. Presenter: Mayor Torres**

482 Mayor Torres reminded everyone about the Get Moving walk on Saturday at 8:00 a.m.

483

484           There being no further business, Councilor Prairie moved to adjourn the meeting at 7:48  
485 P.M. The motion was seconded by Councilor Jaramillo and carried unanimously.

486  
487 Done this 11th day of April 2011.

488  
489 ATTEST:

490  
491 \_\_\_\_\_  
492 Ida Fierro, Town Clerk  
493 (seal)

\_\_\_\_\_

Jack Torres, Mayor