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**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
January 09, 2012**

6 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
7 of the Town on January 09, 2012, at 6:30 P.M.

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

10 **PRESENT:**

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

ALSO PRESENT:

Julian Gonzales James Pike
Steve Amiot Mike Moloney
Ed Romero Tony C de Baca
Maria Rinaldi Margie Amiot
Patricia Taraddei Jim Hooper
Doug Howe

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18
19 **ABSENT:**

Others Present Not Identified

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

24 Ida Fierro, Town Clerk stated that Douglas Howe, Public Regulations Commissioner would like
25 to introduce himself to the Governing Body.

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27 Councilor Sisneros moved to approve the agenda as amended. The motion was seconded by
28 Councilor Prairie and motion carried unanimously.

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31 **INTRODUCTION:5a)**

32 Douglas Howe Public Regulations Commissioner introduces himself to the Governing Body
33 offered to assist the Governing Body with any questions they may have concerning the PRC.

34
35 Mayor Torres mentioned the PRC report on the Gas Outage of February 2011 and stated he had
36 concerns with the report.

37
38 Commissioner Howe offered to meet with Mayor Torres to address his concerns. He stated his
39 assistant would call to make an appointment. He thanked the Governing Body for their time.

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42 **APPROVAL OF MINUTES: 6a) Regular Meeting of December 12, 2011**

43 Mayor Torres stated that on line 129 “the” should be “that”.

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45 Councilor Prairie moved to approve the minutes as amended. The motion was seconded by
46 Councilor Jaramillo and the motion carried unanimously.

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PERSONNEL: 7a) Recreational Aide. Presenter Yolanda Mora

Yolanda Mora stated that it was her recommendation to hire Melissa Gonzales as a Recreational Aide for the Town of Bernalillo Recreation Department.

Mayor Torres entertained a motion.

Councilor Montoya moved to approve the hiring of Melissa Gonzales as a Recreational Aide for the Town of Bernalillo Recreation Department. The motion was seconded by Councilor Sisneros and the motion carried unanimously.

NEW BUSINESS: 8a) Discussion, Consideration, Action and Adoption or Resolution 01/09/12 A Resolution Approving the Execution of an Agreement for the Transfer of Operation and Management of the Town of Bernalillo Housing Authority to Santa Fe Civic Housing Authority. Presenter: Maria Rinaldi

Resolution 1-09-12

A resolution approving the execution of an agreement for the transfer of operation and management of the Town of Bernalillo Housing Authority to Santa Fe Civic Housing Authority.

Whereas, the Town of Bernalillo has determined that a greater degree of professional management of the Housing Authority and all associated programs is required to meet the regulatory mandates of the United States Department of Housing and Urban Development (HUD), and

Whereas, the Town of Bernalillo administration and staff have determined that such expertise can be provided by Santa Fe Civic Housing Authority (SFCHA), and

Whereas, SFCHA has approved a request for transfer of authority by the attached Resolution No. 2011-024, and

Whereas, the Town of Bernalillo agrees that SFCHA will receive full control of all assets including inventory, and that land, Public Housing units, and Section 8 Housing Choice Vouchers will be retained by and/or within the Town of Bernalillo whenever possible, and

Whereas, SFCHA agrees that Town of Bernalillo employees currently affiliated with the Housing Authority will remain as Town employees until such time as a final agreement is executed and approved by all required agencies and shall then be subject the personnel policies and procedures for consideration of hire by SFCHA.

88 **Now therefore be it resolved** that the Town of Bernalillo will enter into a formal agreement for
89 approval by HUD for the transfer of, but not limited to, management and authority over all
90 programs and appropriate assets of the Town of Bernalillo Housing Authority.

91
92 Mayor Torres entertained a motion.

93
94 Councilor Sisneros moved to approve Resolution 01/09/12 A Resolution Approving the
95 Execution of an Agreement for the Transfer of Operation and Management of the Town of
96 Bernalillo Housing Authority to Santa Fe Civic Housing Authority. The motion was seconded by
97 Councilor Montoya.

98
99 Roll Call Vote

100
101 Councilor Jaramillo Yea
102 Councilor Sisneros Yea
103 Councilor Montoya Yea
104 Councilor Prairie Yea

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106 **NEW BUSINESS: 10a) Discussion, Consideration and Action on Resolution 1/09/12A**
107 **Open Meeting Act. Presenter: Ida Fierro**

108
109 **TOWN OF BERNALILLO** **STATE OF NEW MEXICO**

110
111
112 **RESOLUTION NO. 1-09-12A**

113
114 **WHEREAS, the Governing Body of the Town of Bernalillo, New Mexico met in regular**
115 **session at the Town Hall on Monday, January 10, 2011, at 6:30 p.m. as per law; and**

116
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118 WHEREAS, section 10-15-1(B) of the open meetings act (sections 10-15-1 through 10-15-4
119 NMSA 1978) states that, except as may be otherwise provided in the constitution or the
120 provisions of the Open Meetings Act, all meetings of a quorum of members of any Board,
121 Council, Commission or other policy-making body of any state or local public agency held for
122 the purpose of formulating public policy, discussing public business or for the purpose of taking
123 any action within the authority of or the delegated authority of such body, are declared to be
124 public meetings open to the public at all times; and

125
126 WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption

127 of any proposed resolution, rule, regulation or formal action occurs shall be held only after
128 reasonable notice to the public; and

129
130 WHEREAS, section 10-15-1 (D) of the Open Meetings Act requires the Governing Body of the
131 Town of Bernalillo to determine annually what constitutes reasonable notice of its public
132 meetings;

133
134 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Bernalillo,
135 New Mexico, that:

- 136
- 137 1. All meetings of the Governing Body shall be held at the Town Hall at 6:30 p.m. in the
138 Council Chambers or as indicated on the meeting notice.
139
 - 140 2. Regular meetings shall be held on the 2nd and 4th Monday each month. A proposed agenda
141 will be available the Thursday before the meeting from the Town Clerk whose office is located in
142 Bernalillo, New Mexico. Notice of any other regular meetings will be given ten days (10) in
143 advance of the meeting date.
144
 - 145 3. Special meetings may be called by the Mayor or a majority of the members of the Governing
146 Body upon three (3) days notice. The notice shall include an agenda for the meeting or
147 information on how members of the public may obtain a copy of the agenda. The agenda shall be
148 available to the public at least twenty-four hours before any special meeting.
149
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 - 151 4. Emergency meetings will be called only under circumstances, which demand immediate
152 action to protect the health, safety and property of citizens or to protect the Governing Body of
153 the Town of Bernalillo from substantial financial loss. The Governing Body of the Town of
154 Bernalillo will avoid emergency meetings whenever possible. Emergency meetings may be
155 called by the Mayor or a majority of the members of the Governing Body upon twenty-four (24)
156 hours notice, except in case of extreme emergency, when no notice is required. The notice for all
157 emergency meetings shall include an agenda for the meeting or information on how the public
158 may obtain a copy of the agenda.
159
 - 160 5. For the purpose of regular meetings described in paragraph 2 of this resolution, notice
161 requirements are met if notice of the date, time, place and general subject matter to be discussed
162 is placed in newspapers of general circulation in the state. The Town Clerk shall also forward
163 copies of written notice to those broadcast stations licensed by the Federal Communications
164 Commission and newspapers of general circulation which have made a written request for notice
165 of public meetings.
166
 - 167 6. For the purposes of special meetings and emergency meetings described in paragraphs 3 and

168 4 of this resolution, notice requirements shall be met by posting notices on the front doors to
169 Town Hall. The Town Clerk shall provide telephonic or facsimile notice to those broadcast
170 stations licensed by the federal communications commission and newspapers of general
171 circulation that have made a written request for notice of public meetings.
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174 7. In addition to the information specified above, all notices shall include the following
175 language:
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177 If you are an individual with a disability who is in need of a reader, amplifier, qualified sign
178 language interpreter, or any other form of auxiliary aid or service to attend or participate in the
179 meeting, please contact the Town Clerk at 771-7128 at least one (1) week prior to the meeting or
180 as soon as possible. Public documents, including the agenda and minutes, can be provided in
181 various accessible formats. Please contact Ida Fierro at 771-7128 if a summary or other type of
182 accessible format is needed.
183

184 8. Pursuant to section 10-15-1(H) NMSA 1978, the Governing Body of the Town of Bernalillo
185 may close a meeting to the public only if the subject matter of such discussion or action is
186 included in subsection 10-15-1(H) of the Open Meetings Act.
187

188 (a) If any meeting is closed during an open meeting, such closure shall be approved by a
189 majority vote of a quorum of the Governing Body of the Town of Bernalillo taken during the
190 open meeting. The authority for the closure and the subjects to be discussed shall be stated in the
191 motion for closure and the vote on closure of each individual member shall be recorded in the
192 minutes. Only those subjects specified in the motion may be discussed in a closed meeting;
193

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195 (b) If the decision to hold a closed meeting is made when the Governing Body of the
196 Town of Bernalillo is not meeting, the closed meeting shall not be held until public notice,
197 appropriate under the circumstances and stating the specific provision of law authorizing the
198 closed meeting and the subjects to be discussed with reasonable specificity, is given to the
199 members and to the general public.
200

201 (c) Following completion of a closed meeting, the minutes of the open meeting that was
202 closed, or the minutes of the next open meeting if the closed meeting was separately scheduled,
203 shall state whether the matters discussed in the closed meeting were limited only to those
204 specified in the motion or notice of closure.
205

206 (d) Except as provided in section 10-15-1 (H) any action taken as a result of discussions in
207 a closed meeting shall be made by vote of the Governing Body of the Town of Bernalillo in an
208 open public meeting.

209
210 Mayor Torres entertained a motion.
211
212 Councilor Montoya moved to approve and adopt Resolution 1/09/12A Opening Meeting Act.
213 The motion was seconded by Councilor Jaramillo and carried unanimously.
214

215 **NEW BUSINESS: 8c) Discussion, Consideration and Action on Resolution 1/09/12B**
216 **Authorizing and Approving Submission of a Completed Application for Financial**
217 **Assistance and Project Approval to the New Mexico Finance Authority. Presenter: Juan**
218 **Torres**
219

220 **RESOLUTION NO. 1/09/12B**
221

222
223 **AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION**
224 **FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE**
225 **NEW MEXICO FINANCE AUTHORITY**
226

227
228 WHEREAS, the Town of Bernalillo ("Governmental Unit") is a qualified entity under the
229 New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the
230 Town of Bernalillo Governing Body ("Governing Body") is authorized to borrow funds and/or
231 issue bonds for financing of public projects for benefit of the Governmental Unit; and
232

233 WHEREAS, the New Mexico Finance Authority ("Authority") has instituted a program for
234 financing of projects from the public project revolving fund created under the Act and has developed
235 an application procedure whereby the Governing Body may submit an application ("Application")
236 for financial assistance from the Authority for public projects; and
237

238 WHEREAS, the Governing Body intends to undertake acquisition, construction and
239 improvement of Fire Apparatus and Re-fund Loan Bernalillo 3 ("Project") for the benefit of the
240 Governmental Unit and its citizens; and
241

242 WHEREAS, the application prescribed by the Authority has been completed and submitted to
243 the Governing Body and this resolution approving submission of the completed Application to the
244 Authority for its consideration and review is required as part of the Application.
245

246 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:**
247

248 Section 1. That all actions previously taken by the Governing Body and the Governmental
249 Unit and their respective officers and employees in connection with the Application and the Project

250 are hereby ratified, approved and confirmed.

251

252 Section 2. That the completed Application submitted to the Governing Body is hereby
253 approved and confirmed.

254

255 Section 3. That the officers and employees of the Governing Body are hereby directed and
256 requested to submit the completed Application to the Authority, and are further authorized to take
257 such other action as may be requested by the Authority in connection with the Application and to
258 proceed with arrangements for financing the Project.

259

260 Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded,
261 annulled and repealed.

262

263 Section 5. This resolution shall take effect immediately upon its adoption.

264

265 Mayor Torres entertained a motion.

266

267 Councilor Jaramillo moved to approve and adopt Resolution 1/09/12B Authorizing and
268 Approving Submission of a Completed Application for Financial Assistance and Project
269 Approval to the New Mexico Finance Authority. The motion was seconded by Councilor
270 Sisneros.

271

272 Roll Call Vote

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274 Councilor Sisneros Yea

275 Councilor Montoya Yea

276 Councilor Prairie Yea

277 Councilor Jaramillo Yea

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280 **FINANCIAL SECTION:9a) Approval of Accounts Payable Voucher List.**

281 Mayor Torres asked for a motion to approve the accounts payable voucher list in the amount of
282 \$191,337.15.

283

284 Councilor Montoya made a motion to approve the accounts payable voucher list in the amount of
285 \$191,337.15. The motion was seconded by Councilor Sisneros and the motion carried
286 unanimously.

287

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

289 Mayor Torres welcomed the Public to speak. There were none.

290

291 **MISCELLANEOUS SECTION: 10b) Financial Report. Presenter: Juan Torres**
292 Juan Torres, Interim Town Treasurer presented the financial report for the Council members.
293 This is a true picture of where each department is at on their budgets.

294
295 **MISCELLANEOUS SECTION:10c) Announcements. Presenter: Mayor Torres**
296 Mayor thanked Councilor Jaramillo and Councilor Prairie for attending the Legislative Breakfast
297 @ 9:00 a.m. All our legislators were present. The atmosphere was comfortable and everyone in
298 attendance was able to contribute. The Bernalillo Public School, Sandoval County and
299 ESCAFCA were in attendance. The important item for us was the Hold Harmless and funding
300 for the Rail Runner Road extension.

301
302 There being no further business the meeting was adjourned at 7:51 P.M.

303
304 Done this 09th day of January 2012.

305
306 ATTEST:

307
308 _____
309 Ida Fierro, Town Clerk
310 (seal)

307
308 _____
309 Jack Torres, Mayor