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**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
January 8, 2007**

14 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
15 of the Town on January 8, 2007, at 7:00 P.M.

16
17 Upon Roll call the following members were found to be present:

18
19 **PRESENT:**

20 Mayor Chávez
21 Councilor Montoya
22 Councilor Sisneros
23 Councilor Torres
24 Councilor Jaramillo

ALSO PRESENT:

Stephen Jerge
George Perez
Fred Radosevich
Mary Kwapich
Ida Fierro
Santiago Chavez
Orlando Lucero
Barbara Vigil-Lowder
Mark Aragon

25
26
27
28
29
30 **ABSENT:**

Others Present Not Identified

31
32 **APPROVAL OF AGENDA: 4a)**

33 Councilor Sisneros moved to approve the agenda as amended. The motion was seconded by
34 Councilor Jaramillo and carried unanimously.

35
36 Mayor Chávez welcomed everyone back to the governance of city government. She looks
37 forward to a prosperous 2007 in moving the community forward.

38
39 **APPROVAL OF MINUTES: 6a) Regular Meeting of November 27, 2006.**

40 Mayor Chávez stated line 152 should read “prepared by a professional engineer.”
41 Mayor Chávez stated line 181 a comma needs to be inserted after “stories,”
42 Mayor Chávez stated line 208 “aye should be yae”.

43
44 Councilor Jaramillo moved to approve the minutes of December 11, 2006 as amended. The
45 motion was seconded by Councilor Torres and carried unanimously.
46

RESOLUTION NO. 1-8-07

80
81

82 **WHEREAS, the Governing Body of the Town of Bernalillo, New Mexico met**
83 **in regular session at the Town Hall on Monday, January 8, 2007, at 7:00 p.m.**
84 **as per law; and**

85

86 WHEREAS, section 10-15-1 (b) of the open meetings act (sections 1-15-1 through 10-
87 15-4 NMSA 1978) states that, except as may be otherwise provided in the constitution
88 or the provisions of the Open Meetings Act, all meetings of a quorum of members of any
89 Board, Council, Commission or other policy-making body of any state or local public
90 agency held for the purpose of formulating public policy, discussing public business or
91 for the purpose of taking any action within the authority of or the delegated authority of
92 such body, are declared to
93 be public meetings open to the public at all times; and

94

95 WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or
96 adoption of any proposed resolution, rule, regulation or formal action occurs shall be
97 held only after reasonable notice to the public; and

98

99

100 WHEREAS, section 10-15-1 (c) of the Open Meetings Act requires the Governing Body
101 of the Town of Bernalillo to determine annually what constitutes reasonable notice of its
102 public meetings;

103

104 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of
105 Bernalillo, New Mexico, that:

106

107 1. All meetings of the Governing Body shall be held at the Town Hall at 6:30 p.m. in
108 the
109 council chambers or as indicated on the meeting notice.

110

111 2. Regular meetings shall be held on the 2nd and 4th Monday each month. A
112 proposed agenda will be available the Friday before the meeting from the Town Clerk
113 whose office is located in Bernalillo, New Mexico. Notice of any other regular meetings
114 will be given ten days
115 (10) in advance of the meeting date.

116

117 3. Special meetings may be called by the Mayor or a majority of the members of the
118 Governing Body upon three (3) days notice.

119

120 4. Emergency meetings will be called only under circumstances, which demand

121 immediate action. The Governing Body of the Town of Bernalillo will avoid emergency
122 meetings whenever possible. Emergency meetings may be called by the Mayor or a
123 majority of the members of the Governing Body upon twenty-four (24) hours notice,
124 except in case of extreme emergency,
125 when no notice is required.

126
127 5. For the purpose of regular meetings described in paragraph 2 of this resolution,
128 notice requirements are met if notice of the date, time, place and general subject matter
129 to be discussed is placed in newspapers of general circulation in the state. The Town
130 Clerk shall also forward copies of written notice to those broadcast stations licensed by
131 the Federal Communications Commission and newspapers of general circulation which
132 have made written requests for notice of public meetings.

133
134 6. For the purposes of special meetings and emergency meetings described in
135 paragraphs 3 and 4 of this resolution, notice requirements shall be met by posting
136 notices on the front doors to City Hall. The Town Clerk shall provide telephonic or
137 facsimile notice to those broadcast stations licensed by the federal communications
138 commission and newspapers of general circulation that have made a written request for
139 notice of public meetings.

140
141 7. Pursuant to section 10-15-1 (e) NMSA 1978, the Governing Body of the Town of
142 Bernalillo may close a meeting to the public only if the subject matter of such discussion
143 or action is included in subsection E of the Open Meetings Act.

144
145
146 (1) If any meeting is closed during an open meeting, such closure shall be
147 approved by a majority vote of a quorum of the Governing Body of the Town of
148 Bernalillo taken during the open meeting. The authority for the closure and the subjects
149 to be discussed shall be stated in the motion for closure and the vote on closure of each
150 individual member shall be recorded in the minutes. Only those subjects specified in the
151 motion may be discussed in a closed meeting;

152
153 (2) If the decision to hold a closed meeting is made when the Governing Body of
154 the Town of Bernalillo is not meeting, the closed meeting shall not be held until public
155 notice, appropriate under the circumstances and stating the specific provision of law
156 authorizing the closed meeting and the subjects to be discussed, is given to the
157 members and to the general public; and

158
159 (3) Except as provided in section 10-15-1 (e) any action taken as a result of
160 discussions in a closed meeting shall be made by vote of the Governing Body of the
161 Town of Bernalillo in an open public meeting.

162

163
164 PASSED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERNALILLO, NEW
165 MEXICO
166 THIS 8th DAY OF JANUARY 2007.

167
168 Councilor Sisneros moved to approve Resolution 1-8-07 as presented. The motion was seconded
169 by Councilor Montoya.

170
171 Roll Call Vote All Yea

172
173 **NEW BUSINESS: 9c) Discussion, Consideration and Action of Resolution 1/08/07A**
174 **Supporting Context-Sensitive Planning, Design and Construction of Capital Improvements**
175 **to the US 550 Transportation Corridor-Especially for that Portion of US550 within the**
176 **Municipal Limits of the Town of Bernalillo. Presenter: Kelly Moe**

177
178 **TOWN OF BERNALILLO, NEW MEXICO**

179
180 **Resolution No. 01-08-07-A**

181
182 **A Resolution of the Governing Body of the Town of Bernalillo**
183 **Supporting Context-Sensitive Planning, Design, and Construction of**
184 **Capital Improvements to the US550 Transportation Corridor - Especially**
185 **for that Portion of US550 within the Municipal Limits of the Town of**
186 **Bernalillo.**

187
188 **WHEREAS**, The Town of Bernalillo desires to work cooperatively with its fellow regional partners within
189 the Mid-region Council of Governments, and with the New Mexico Department of Transportation, to plan,
190 design, and construct appropriate transportation infrastructure to adequately manage the existing and
191 projected traffic flows within the US550 corridor; *and*

192
193 **WHEREAS**, According to the latest available data, average weekday traffic counts for US550 from NM528
194 to I-25 total between 31,600 to 40,300 vehicles, and average weekday traffic counts for US550 from Unser
195 Blvd. / NW Loop to NM528 total between 10,600 to 15,300 vehicles; *and*

196
197 **WHEREAS**, These traffic count numbers, while historically high for the US550 corridor and projected to
198 continue increasing, are consistent with existing and projected traffic volumes on other 4-lane arterial traffic
199 corridors with river-crossings within the Albuquerque metropolitan area; *and*

200
201 **WHEREAS**, Increasing the number of traffic lanes within the US550 right-of-way between NM528 and I-25
202 may help increase vehicular mobility, it shall also severely decrease accessibility to-and-from adjacent
203 businesses, thereby making it more difficult for said businesses to thrive, and drastically reducing their
204 ability to generate gross receipts income for the Town of Bernalillo, Sandoval County, and the State of New
205 Mexico; *and*

206

207 **WHEREAS**, There is still sufficient time to plan, design, and construct the needed transportation
208 infrastructure in a context-sensitive solution which will protect the historic integrity and economic viability
209 of the Town of Bernalillo; *and*

210
211 **WHEREAS**, Rhonda Faught, Cabinet Secretary NMDOT, has issued a Departmental Directive, instructing
212 "...all NMDOT employees and others involved in the planning, development, construction, maintenance, and
213 operation of all State transportation and support facilities to apply and adhere to CSS (Context Sensitive
214 Design and Solutions) principles on all department projects.";

215
216 **THEREFORE**, *be it resolved by the Governing Body of the Town of Bernalillo that:*
217
218 *The NMDOT and our regional transportation planning partners, adhere to the NMDOT*
219 *Departmental Directive and to current best principles and practices for the creation of context-*
220 *sensitive multi-modal solutions to moving people and goods within and surrounding the US550*
221 *corridor.*

222
223 **PASSED, APPROVED, and ADOPTED** by the Town Council, the Governing Body of the
224 Town of Bernalillo, at its meeting of **January 8, 2007.**

225
226 Councilor Jaramillo moved to approve Resolution 1-8-07A as presented. The motion was
227 seconded by Councilor Montoya.

228
229 Roll Call Vote All Yea

230
231 **NEW BUSINESS: 9 d)Discussion, Consideration and Action of Holiday Schedule for**
232 **2007. Presenter: Stephen Jerge**

233
234 **Town of Bernalillo**
235 **Holiday Schedule**
236 **For 2007**

237

238	Martin Luther King	Monday, January 15, 2007
239	Jr. Birthday	
240		
241	Memorial Day	Monday, May 28, 2007
242		
243	Independence Day	Wednesday, July 4, 2007
244		
245	San Lorenzo Fiestas	Friday, August 10, 2007
246	(Presidents Day Observed)	
247		
248	Labor Day	Monday, September 3, 2007

249		
250	Thanksgiving Day	Thursday, November 22, 2007
251		
252	Day after Thanksgiving	Friday, November 23, 2007
253		
254	Christmas Eve	Monday, December 24, 2007
255		
256	Christmas Day	Tuesday, December 25, 2007
257		
258	New Years Eve	Monday, December 31, 2007
259	(Columbus Day Observed)	
260		
261	New Years Day	Tuesday, January 1, 2008
262		

263 Councilor Torres brought up that San Lorenzo Fiesta Day was not on the Holiday Schedule. A
264 discussion began on the importance of that day to our community for the last 300 years. Mayor
265 Chávez indicated that August 10th was not a National Holiday. She also indicated that we need
266 to be aware of the sensitive issue of separation of Church and State. Mayor Chávez indicated that
267 we need to be fiscally responsible to the constituents that we serve. The schedule already has
268 11 days and the County and State only afford their employees 9 days. We could observe
269 President's Day on August 10, 2007 San Lorenzo Fiesta. This would not expand the Holiday
270 Schedule of 2007 and make it fiscally balanced.

271
272 Councilor Sisneros moved to approve Holiday Schedule for 2007 with the amended change of
273 observing President's Day on August 10th San Lorenzo Fiestas. The motion was seconded by
274 Councilor Montoya.

275
276 Roll Call Vote All Yea

277
278 **New Business 9e)Discussion, Consideration and Action on Adoption of Resolution**
279 **No. 1-08-07B Continuance of Moratorium on Building in the Overlay Zones for the**
280 **Proposed Sandoval County and Town of Bernalillo Rail Runner Stations - Presenter: Kelly**
281 **Moe**
282

283 **TOWN OF BERNALILLO, NEW MEXICO**

284
285 **Resolution No. 01-08-07-B**

286
287 **A Resolution of the Governing Body of the Town of Bernalillo**
288 **Concerning the Extension of a Moratorium for the Acceptance or Approval**

289 **of any Planning & Zoning and/or Building Permit Applications for areas**
290 **Within the Proposed Transit-Oriented Overlay Zones for the Sandoval**
291 **County and Town of Bernalillo Commuter Rail Stations**
292
293

294 **WHEREAS**, After due consideration at its regular meeting of September 11, 2006, the Governing
295 Body of the Town of Bernalillo adopted Resolution No. 09-11-06 which established a moratorium
296 for the acceptance or approval of any planning & zoning and/or building permit applications for
297 areas within the proposed Transit-Oriented Overlay Zones for the Sandoval County and Town of
298 Bernalillo Commuter Rail (New Mexico Rail Runner) Stations, for a period not to exceed 120 days
299 in order to provide time for the Town to create and consider appropriate new regulations for
300 developments within such transit-oriented areas; *and*

301
302 **WHEREAS**, Since that date, the Town was invited by the Mid-Region Council of Governments
303 (MR-COG) to participate in a regional process to establish consistent design and development
304 regulations for all transit-oriented areas from Belen to Bernalillo along the Rail Runner line; *and*
305

306 **WHEREAS**, The regional process, including public review and comment, will take many more
307 months to complete than originally anticipated;

308
309
310 **THEREFORE**, *be it resolved by the Governing Body of the Town of Bernalillo that:*

311
312 *The moratorium for any such planning & zoning and/or building permit applications for*
313 *areas within the proposed Transit-Oriented Overlay Zones for the Sandoval County and*
314 *Town of Bernalillo Commuter Rail (New Mexico Rail Runner) Stations, as such areas were*
315 *defined in the Exhibits to Resolution No. 09-11-06, shall hereby be extended to July 15,*
316 *2007.*

317
318 **PASSED, APPROVED, and ADOPTED** by the Town Council, the governing body of the
319 Town of Bernalillo, at its meeting of **January 8, 2007.**

320
321
322 Councilor Jaramillo moved to approve Resolution 1-8-07B as presented. The motion was
323 seconded by Councilor Torres.

324
325 Roll Call Vote All Yea
326

327
328
329
330 **MISCELLANEOUS: 10) Update Administration Items – Presenter Stephen Jerge.**
331 Mr. Jerge informed the Council of the items that he thought the Council should be aware of but

332 did not need action taken as of this time.

333

334 **FINANCIAL SECTION: 11a) Approval of General Fund Vouchers #30566 -**
335 **#30693.**

336 Councilor Torres moved to approve the General Fund Vouchers #30566 - #30693 as presented.

337 The motion was seconded by Councilor Jaramillo and carried unanimously.

338

339 **FINANCIAL SECTION: 11b) Approval of Utility Fund Vouchers #61964 - #62024.**

340 Councilor Torres moved to approve the Utility Fund Vouchers #61964- #62024 as presented.

341 The motion was seconded by Councilor Sisneros and carried unanimously.

342

343 **FINANCIAL SECTION: 11c) Approval of MVD Fund Vouchers #66217 - #66244.**

344 Councilor Sisneros the MVD Fund Vouchers #66217 - # 66244 as presented. The motion was

345 seconded by Councilor Torres and carried unanimously.

346

347 **FINANCIAL SECTION: 11d) Approval of Housing Low Rent Vouchers #4943LR-**
348 **#4984LR.**

349 Councilor Torres moved to approve the Housing Low Rent Vouchers #4943LR - #4984LR as
350 presented. The motion was seconded by Councilor Sisneros and carried unanimously.

351

352 **FINANCIAL SECTION: 11e) Approval of Housing Section 8 Vouchers #7603-**
353 **#7621.**

354 Councilor Jaramillo moved to approve the Housing Section 8 Vouchers #7603 - #7621 as
355 presented. The motion was seconded by Councilor Sisneros and carried unanimously.

356

357 There being no further business the meeting was adjourned at 8:40 P.M.

358

359 Done this 8th day of January 2007.

360

361 ATTEST:

362

363

364 _____
365 Town Clerk
(seal)

Patricia A. Chávez, Mayor