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**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
APRIL 09, 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 April 09, 2007, at 6:30 P.M.

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

18
19 **PRESENT:**

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

ALSO PRESENT:

Stephen Jerge Rob Burpo
Ida Fierro John Brooks
Margie Amiot Steven Amiot
Mary Kwapich Ramesh Narasimhan
Fred Radosevich Santiago A. Chavez
Chris Muirhead

25
26
27 **ABSENT:**

Others Present Not Identified

28
29 **APPROVAL OF AGENDA: 4a)**

30 Councilor Sisneros moved to approve the agenda as presented. The motion was seconded by
31 Councilor Montoya and carried unanimously.

32
33 **PUBLIC HEARINGS: 5a) Proclamation declaring April 2007 “Parkinson’s Disease
34 Awareness Month”.**

35 Mayor Chávez read the proclamation. Ms. Margie Amiot in behalf of the New Mexico chapter
36 accepted the Proclamation.

37
38 **PUBLIC HEARINGS: 5b) Proclamation declaring April 20th “Golden Apple
39 Tribute to Teacher Excellence Day”.**

40 Mayor Chávez read the proclamation. Mayor Chávez stated the Proclamation will be delivered
41 to the Bernalillo Public School District and Superintendent Ms. Barbara Lowder. As well as the
42 Village Academy Charter School. Due to Spring Break no representatives were present from the
43 Bernalillo School District.

44
45 **APPROVAL OF MINUTES: 6a) Regular Meeting of March 23, 2007.**

46 Councilor Jaramillo stated there was duplication in a sentence but could not recall the line to be

47 corrected.
48 Councilor Torres moved to approve the minutes of March 23, 2007 with the correction that
49 Councilor Jaramillo stated to be added when she located the item and notified the Clerk. The
50 motion was seconded by Councilor Sisneros and carried unanimously.
51

52 **NEW BUSINESS: 8a) Discussion, Consideration and Action on Approval of**
53 **Contract for Arsenic Treatment Filtration Equipment. Presenter: Maria Rinaldi.**

54 Mr. Stephen Jerge stated that in the packets was a copy of the negotiated contract for a Arsenic
55 Treatment Filtration Equipment. Hungerford & Terry, Inc. Manufactures of Water Treating
56 Equipment of Clayton, New Jersey shall provide two complete Package Filtration Systems. The
57 systems shall be similar to the recent procurement conducted by the City of Rio Rancho for
58 Wells 9 and 13 for which H & T was selected as the low bidder. Each system shall consist of
59 two pressure filtration vessels and auxiliary equipment necessary for the removal of arsenic for
60 the Town's Well #3 and #4. The Well # 3 system shall include two 8 –foot diameter vessel rated
61 for 70 psi for \$292,760 and the Well #4 system shall include two 9-foot diameter vessel rated
62 for 100 psi. .
63

64 Councilor Jaramillo moved to approve the award of contract to Hungerford & Terry, Inc. for the
65 Arsenic Treatment Filtration Equipment. The motion was seconded by Councilor Torres.
66

67 Roll Call Vote All Yea
68

69 **NEW BUSINESS: 8b) Discussion, Consideration of Ordinance 229 Loan Agreement**
70 **by and Between the Town of Bernalillo and New Mexico Finance Authority, to Construct a**
71 **New Arsenic Removal System. Presenter: Stephen Jerge**

72
73 TOWN OF BERNALILLO, NEW MEXICO
74 ORDINANCE NO. 229
75

76 AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN
77 AGREEMENT BY AND BETWEEN THE TOWN OF BERNALILLO, NEW
78 MEXICO (THE "TOWN") AND THE NEW MEXICO FINANCE
79 AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE
80 TOWN TO PAY A PRINCIPAL AMOUNT OF \$3,796,678, TOGETHER WITH
81 ADMINISTRATIVE FEES AND INTEREST THEREON, FOR THE PURPOSE
82 OF DEFRAYING THE COST OF DESIGNING, PLANNING, EQUIPPING
83 AND CONSTRUCTING A NEW ARSENIC REMOVAL SYSTEM AND A
84 PIPELINE FOR THE TOWN'S JOINT WATER AND SEWER SYSTEM;
85 PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF,
86 ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN
87 AGREEMENT SOLELY FROM THE NET SYSTEM REVENUES RECEIVED
88 BY THE TOWN FROM THE OPERATION OF ITS JOINT WATER AND

89 SEWER SYSTEM; APPROVING THE FORM OF AND OTHER DETAILS
90 CONCERNING THE LOAN AGREEMENT; PROVIDING FOR A RATE OF
91 INTEREST ON THE LOAN AGREEMENT; RATIFYING ACTIONS
92 HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH
93 THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER
94 ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF
95 THE LOAN AGREEMENT

96
97 Capitalized terms used in the following preambles have the same definitions as are set
98 forth in Section 1, unless the content provides otherwise.

99
100 WHEREAS, the Governmental Unit is a legally and regularly created, established,
101 organized and existing municipality under the general laws of the State of New Mexico; and
102

103 WHEREAS, the Governing Body has determined and hereby determines that the Project
104 may be financed with amounts borrowed under the Loan Agreement and that it is in the best
105 interest of the Governmental Unit and its residents that the Loan Agreement be executed and
106 delivered and that the financing of the acquisition and construction of the Project take place by
107 executing and delivering the Loan Agreement; and
108

109 WHEREAS, the Governing Body has determined that it may lawfully pledge the Pledged
110 Revenues for the payment of amounts due under the Loan Agreement; and
111

112 WHEREAS, the 2006 Ordinance provides for the adoption of subsequent ordinances to
113 authorize the issuance of additional debt payable through Net Revenues of the System, as well as
114 the approval of specific terms and documents relating to the issuance of the additional debt; and
115

116 WHEREAS, this Ordinance is adopted in order to authorize the Governmental Unit to
117 enter into the Loan Agreement with the NMFA as a parity debt payable from Net Revenues of
118 the System; and
119

120 WHEREAS, other than as described in Exhibit "A" to the Loan Agreement, the Pledged
121 Revenues have not heretofore been pledged to secure the payment of any obligation; and
122

123 WHEREAS, the Loan Agreement shall be a special, limited obligation of the
124 Governmental Unit, payable solely from the Pledged Revenues and shall not constitute a general
125 obligation of the Governmental Unit, or a debt or pledge of the faith and credit of the
126 Governmental Unit or the State; and
127

128 WHEREAS, there have been presented to the Governing Body and there presently are on
129 file with the Clerk this Ordinance and the form of the Loan Agreement, which is incorporated by
130 reference and considered to be a part hereof; and

131
132 WHEREAS, the Governing Body hereby determines that the Project to be financed by
133 the Loan is to be used for governmental purposes of the Governmental Unit and will not be used
134 for purposes which would cause the Loan Agreement to be deemed a "private activity bond" as
135 defined by the Internal Revenue Code of 1986, as amended; and

136
137 WHEREAS, the Governing Body intends by this Ordinance to authorize the execution
138 and delivery of the Loan Agreement in the amount and for the purposes set forth herein; and
139

140 WHEREAS, all required authorizations, consents and approvals in connection with (i)
141 the use and pledge of the Pledged Revenues to the NMFA (or its assigns) for the payment of the
142 Loan Agreement, (ii) the use of the proceeds of the Loan Agreement to finance the Project, and
143 (iii) the authorization, execution and delivery of the Loan Agreement which are required to have
144 been obtained by the date of this Ordinance, have been obtained or are reasonably expected to be
145 obtained.

146
147 No Action was required this was the first reading of Ordinance 229.
148

149 **NEW BUSINESS: 8c) Discussion, Consideration and Action of Resolution 04/09/07**
150 **Supporting the City of Sunland Park, New Mexico Requesting the Establishment of a**
151 **Vehicle Pedestrian Non-Commercial Customs Port of Entry Located at Ciudad Juarez-**
152 **Anapra, Mexico and Sunland Park, New Mexico. Presenter: Ida Fierro.**

153
154 **RESOLUTION NO. 04/09/07**
155

156 **A RESOLUTION SUPPORTING THE CITY OF SUNLAND PARK, NEW MEXICO IN**
157 **REQUESTING THE ESTABLISHMENT OF A VEHICLE PEDESTRIAN NON-COMMERCIAL**
158 **CUSTOMS PORT OF ENTRY LOCATED AT CIUDAD JUAREZ-ANAPRA, MEXICO AND**
159 **SUNLAND PARK, NEW MEXICO**
160

161 **WHEREAS**, the City of Sunland Park is located in the south central portion of Doña Ana County, New
162 Mexico; and
163

164 **WHEREAS**, the City of Sunland Park has had a USA Cattle Crossing designation since 1978, and is
165 preparing necessary documents to request for the establishment of a vehicle-pedestrian non-commercial
166 customs port of entry; and
167

168 **WHEREAS**, the development and construction of a non-commercial border crossing between New Mexico
169 and Chihuahua, Mexico at the City of Sunland Park is part of an overall regional master plan strategy to
170 further open the tri-state Paso Del Norte Border Region to other national and bi-national market opportunities;
171 and
172

173 **WHEREAS**, the opening of the Sunland Park Border Crossing is a significant component and contribution to

174 the regional master plan with national and bi-national interests, as it will reduce and divert vehicular and
175 pedestrian traffic from commercial border crossings in the El Paso Del Norte region, reducing idle item,
176 traffic congestion in the five existing border crossings, and mitigating the air quality condition of the region;
177 and

178
179 **WHEREAS**, the Sunland Park crossing will promote market-opening opportunities, favorable business and
180 trade environment and international project procurement activities by complementing the commercial border
181 crossing at Santa Teresa, as each crossing will be strategically serving two distinct markets and acting as
182 individual unique yet complimentary border crossings; and

183
184 **WHEREAS**, the Town of Bernalillo recognizes that the economic base of the City of Sunland Park and the
185 State of New Mexico will be stimulated and diversified by an increase in trade, manufacturing and
186 exportation activities with the Republic of Mexico.

187
188 **NOW, THEREFORE, BE IT RESOLVED** by the Town of Bernalillo that the immediate establishment of a
189 vehicle-pedestrian, non-commercial custom port of entry at Ciudad Juarez-Anapra, Mexico and Sunland Park,
190 New Mexico is fully endorsed and supported by this local government body.

191
192 Councilor Torres moved to approve Resolution 04/09/07 Supporting the City of Sunland Park,
193 New Mexico Requesting the Establishment of a Vehicle Pedestrian Non-Commercial Customs
194 Port of Entry Located at Cuidad Juarez-Anapra, Mexico and Sunland Park, New Mexico. The
195 motion was seconded by Councilor Montoya and carried unanimously.

196
197 Roll Call Vote Yea

198
199 **MISCELLANEOUS: 10) Update Administration Items – Presenter Stephen Jerge.**
200 Mr. Jerge informed the Council of the items that he thought the Council should be aware of but
201 did not need action taken as of this time.

202
203
204 **FINANCIAL SECTION: 11a) Approval of General Fund Vouchers #31157-**
205 **#31241.**

206 Councilor Jaramillo moved to approve the General Fund Vouchers 31157 - #31241 as presented.
207 The motion was seconded by Councilor Montoya and carried unanimously.

208
209 **FINANCIAL SECTION: 11b) Approval of Utility Fund Vouchers #62335 - #62380.**
210 Councilor Torres moved to approve the Utility Fund Vouchers #62335 - #62380 as presented.
211 The motion was seconded by Councilor Sisneros and carried unanimously.

212
213 **FINANCIAL SECTION: 11c) Approval of MVD Fund Vouchers #66327 - #66340.**
214 Councilor Torres moved to approve the MVD Fund Vouchers #66327 - # 66340 as presented.
215 The motion was seconded by Councilor Montoya and carried unanimously.

216

217 **FINANCIAL SECTION: 11d) Approval of Housing Low Rent Vouchers #5097LR-**
218 **#5120LR.**

219 Councilor Montoya moved to approve the Housing Low Rent Vouchers #5097LR - #5120LR as
220 presented. The motion was seconded by Councilor Sisneros and carried unanimously.

221
222 **FINANCIAL SECTION: 11e) Approval of Section 8 Vouchers #7659 - #7672.**

223 Councilor Sisneros moved to approve the Housing Security Deposit Vouchers #7659 - #7672 as
224 presented. The motion was seconded by Councilor Torres and carried unanimously.

225
226 **FINANCIAL SECTION: 11f) Approval of CDBG Vouchers #6 -7.**

227 Councilor Torres moved to approve the CDBG Vouchers #6 - 7 as presented. The motion was
228 seconded by Councilor Torres and carried unanimously.

229
230 **FINANCIAL SECTION: 11g) Approval of Wastewater Treatment Plant Voucher**

231 **#7.**
232 Councilor Jaramillo moved to approve the Wastewater Treatment Plant Vouchers #7 as
233 presented. The motion was seconded by Councilor Torres and carried unanimously.

234
235 There being no further business the meeting was adjourned at 8:02 P.M.

236
237 Done this 9th day of April 2007.

238
239 ATTEST:

240
241
242
243
244
245 _____
246 Town Clerk
(seal)

245 _____
246 Patricia A. Chávez, Mayor