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6 **MINUTES OF A REGULAR MEETING**
7 **OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**
8 **HELD AT THE OLOS SOCIAL CENTER**
9 **JULY 09, 2007**

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11 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules of
12 the Town on July 09, 2007, at 6:30 P.M.

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

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16 **PRESENT:**

17 Mayor Chávez
18 Councilor Torres
19 Councilor Sisneros
20 Councilor Montoya
21 Councilor Jaramillo

22 **ALSO PRESENT:**

23 Stephen Jerge
24 Ida Fierro
25 Santiago Chavez
26 Mary Kwapich
27 Fred Radosevich
28 Donna Bohannan
29 Margie Amiot
30 Steve Amoit

Helen Sandoval
Debbie Kilfoy
John Extrada
Ron Bohannan
Louise Moore
George Perez

31 **ABSENT:**

Others Present Not Identified

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

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

35 **PUBLIC HEARINGS: 5b Discussion, Consideration and Action on Approval of**
36 **07/09/07 Resolution of the Governing Body of the Town of Bernalillo approving an Agreement**
37 **related to the possible Annexation and Development of Certain Lands of Prefisso 505 LLC,**
38 **which are know as Sole Toscano, and are contiguous to the Town's Municipal Limits.**

39 **Presenter: Kelly Moe**

40 STATE OF NEW MEXICO

TOWN OF BERNALILLO

41 **RESOLUTION NO. 07-09-07**

42 **A RESOLUTION OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**
43 **APPROVING AN AGREEMENT RELATED TO THE POSSIBLE ANNEXATION AND**
44 **DEVELOPMENT OF CERTAIN LANDS OF PREFISSO 505 LLC, WHICH ARE KNOWN**
45 **AS SOLE TOSCANO, AND ARE CONTIGUOUS TO THE TOWN'S MUNICIPAL LIMITS.**

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47 **WHEREAS,** Prefisso 505 LLC, a developer, has duly petitioned the Town of Bernalillo to

annex certain lands, which are contiguous to the municipal limits of the Town; *and*

WHEREAS, said developer proposes to develop said lands in conformance with a Master Plan known as “Sole Toscano”, which proposes to include certain residential and commercial uses; *and*

WHEREAS, said developer has freely consented to enter into an Agreement with the Town in order to specify the Terms and Conditions of consent for, and to specify other provisions related to, the annexation and development of said lands; *and*

WHEREAS, the Town deems that the proposed Agreement will cause the advantages of the development, should the Town approve the annexation and related zoning request, to inure to the benefit of the Town and to the general welfare of its citizens;

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF BERNALILLO THAT:

The Annexation and Development Agreement Attached Hereto Between the Town of Bernalillo and Prefisso 505 LLC be hereby approved.

Councilor Sisneros moved to approve Resolution 07/09/07 as presented. The motion was seconded by Councilor Torres.

Roll Call Vote

Councilor Jaramillo	Yea
Councilor Montoya	Yea
Councilor Torres	Yea
Councilor Sisneros	Yea

PUBLIC HEARINGS: 5b Discussion, Consideration and Action on Approval of Ordinance 233 and Ordinance Implementing an Amendment to the Zoning Map to Annex Territory to the Town of Bernalillo. Presenter: Kelly Moe

STATE OF NEW MEXICO

TOWN OF BERNALILLO

ORDINANCE NO. 233

AN ORDINANCE IMPLEMENTING AN AMENDMENT TO THE ZONING MAP TO ANNEX TERRITORY TO THE TOWN OF BERNALILLO

WHEREAS, Prefisso 505 LLC, a property owner in Sandoval County, has filed a petition

90 (see EXHIBIT A) to annex certain lands to the Town of Bernalillo, as shown in ‘EXHIBIT B’, and
91 further known as: Tract 10-C of the Lands of Liberman-Grevey Family Trust, T13N R4E SEC28
92 NMPM, within Sandoval County, New Mexico, containing approximately 157 acres; and,

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94 **WHEREAS**, said lands are contiguous to the current municipal limits of the Town of
95 Bernalillo; and,

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97 **WHEREAS**, a public hearing has been held by the Governing Body of the Town of Bernalillo
98 regarding said petition; and,

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100 **WHEREAS**, the requested annexation is deemed to benefit the general welfare of the Town
101 of Bernalillo;

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104 **THEREFORE**, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF
105 BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, AS FOLLOWS:

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107 That Ordinance No. 175 entitled the “Comprehensive Zoning Ordinance of the Town of
108 Bernalillo” be hereby amended to provide for a change in the zoning map to annex certain
109 lands to the Town of Bernalillo, as described herein, and as designated in ‘Exhibit B’
110 attached hereto.

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113 Councilor Jaramillo moved to approve Ordinance 233 as presented. The motion was seconded by
114 Councilor Montoya.

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116 Roll Call Vote

117	Councilor Sisneros	Yea
118	Councilor Torres	Yea
119	Councilor Montoya	Yea
120	Councilor Jaramillo	Yea

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125 **PUBLIC HEARINGS: 5b Discussion, Consideration and Action on Approval of**
126 **Ordinance 234 and Ordinance Implementing an Amendment to the Zoning Map in Order to**
127 **Designate Initial Zoning for Certain Lands Annexed by Prefisso 505 LLC to the Town of**
128 **Bernalillo, as: S-U (Master Plan). Presenter Kelly Moe**

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130 STATE OF NEW MEXICO

TOWN OF BERNALILLO

ORDINANCE NO. 234

AN ORDINANCE IMPLEMENTING AN AMENDMENT TO THE ZONING MAP IN ORDER TO DESIGNATE INITIAL ZONING FOR CERTAIN LANDS ANNEXED BY PREFISSO 505 LLC TO THE TOWN OF BERNALILLO, AS: R-1, R-2, AND C-1

WHEREAS, certain lands of Prefisso 505 LLC (known as: Tract 10-C of the Lands of Liberman-Grevey Family Trust, T13N R4E SEC28 NMPM, within Sandoval County New Mexico, comprising approximately 157 acres; and as shown in 'EXHIBIT A') have been duly annexed to the Town of Bernalillo; and these lands require an initial zoning designation; and

WHEREAS, the owner of said lands desires to develop them with single-family, multi-family, and commercial uses in a development to be known as "Sole Toscano", and, as required by the Town of Bernalillo Comprehensive Zoning Ordinance for such a proposed land uses, has requested zoning designations for said lands of S-U special Use for a Master Planned Mixed-Use development (see 'Exhibit B'); and

WHEREAS, a public hearing has been held by the Governing Body of the Town of Bernalillo regarding said request; and,

WHEREAS, the requested zoning is deemed beneficial to the general welfare of the Town of Bernalillo;

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, AS FOLLOWS:

That Ordinance No. 175 entitled the "Comprehensive Zoning Ordinance of the Town of Bernalillo" be hereby amended to provide for a change in the zoning map (being an initial zoning of the lands specified herein) to S-U with a Master Plan, for the proposed development known as "Sole Toscano", as shown in 'EXHIBIT B' attached hereto.

Councilor Montoya moved to approve Ordinance 234 as presented. The motion was seconded by Councilor Torres.

Roll Call Vote

Councilor Torres	Yea
Councilor Jaramillo	Yea
Councilor Montoya	Yea
Councilor Sisneros	Yea

APPROVAL OF MINUTES: 6a) Regular Meeting of June 25, 2007.

Councilor Jaramillo moved to approve the minutes of June 25, 2007 as presented. The motion was seconded by Councilor Sisneros and carried unanimously.

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NEW BUSINESS 9a) Discussion, Consideration and Action on Adoption of Resolution 07/09/07A A Resolution of the Governing Body of the Town of Bernalillo Concerning the Extension of a Moratorium for the Acceptance or Approval of any Planning & Zoning and/or Building Permit Application for areas within the Proposed Transit-Oriented Overlay Zones for the Sandoval County and Town of Bernalillo Commuter Rail Stations. Presenter: Kelly Moe

**TOWN OF BERNALILLO, NEW MEXICO
Resolution No. 07-07-09**

**A Resolution of the Governing Body of the Town of Bernalillo
Concerning the Extension of a Moratorium for the Acceptance or Approval of
any Planning & Zoning and/or Building Permit Applications for areas Within
the Proposed Transit-Oriented Development Plan for the Sandoval County and
Town of Bernalillo Commuter Rail Stations**

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

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

WHEREAS, The regional process, including public review and comment, took more time to complete than originally anticipated, and therefore the moratorium was extended until July 15, 2007 by the Governing Body at its regular meeting of January 8, 2007; *and*

WHEREAS, Although the regional process was expedited for the Town of Bernalillo, and numerous design workshops were held to seek and incorporate public input regarding the transit-oriented areas, two more weeks are still needed for the Consultants and Town Staff to present to Council a final Town of Bernalillo Transit-Oriented Development Plan as an amendment to the Town's Comprehensive Land Use Plan;

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

214 *The moratorium for any such planning & zoning and/or building permit applications for areas*
215 *within the proposed Transit-Oriented Overlay Zones for the Sandoval County and Town of*
216 *Bernalillo Commuter Rail (New Mexico Rail Runner) Stations, as such areas were defined in*
217 *the Exhibits to Resolution No. 09-11-06, shall hereby be extended to August 31, 2007.*
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219 Councilor Sisneros moved to approve Resolution 07/09/07A as presented. The motion was seconded
220 by Councilor Jaramillo

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222 Roll Call Vote

223	Councilor Montoya	Yea
224	Councilor Sisneros	Yea
225	Councilor Torres	Yea
226	Councilor Jaramillo	Yea

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230 **FINANCIAL SECTION: 11a) Approval of General Fund Vouchers #31631**
231 **#31696.**

232 Councilor Torres moved to approve the General Fund Vouchers 31631 - #31696 as presented. The
233 motion was seconded by Councilor Jaramillo and carried unanimously.

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235 **FINANCIAL SECTION: 11b) Approval of Utility Fund Vouchers #62627 - #62661.**

236 Councilor Sisneros moved to approve the Utility Fund Vouchers #62627 - #62661 as presented. The
237 motion was seconded by Councilor Montoya and carried unanimously.

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239 **FINANCIAL SECTION: 11c) Approval of MVD Fund Vouchers #66418 - #66435.**

240 Councilor Sisneros moved to approve the MVD Fund Vouchers #66418 - # 66435 as presented. The
241 motion was seconded by Councilor Montoya and carried unanimously.

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243 **FINANCIAL SECTION: 11d) Approval of Housing Low Rent Vouchers #5220LR-**
244 **#5236LR.**

245 Councilor Montoya moved to approve the Housing Low Rent Vouchers #5220LR - #5236LR as
246 presented. The motion was seconded by Councilor Sisneros and carried unanimously.

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249 **FINANCIAL SECTION: 11e) Approval of Section 8 Vouchers #7708 - #7723.**

250 Councilor Jaramillo moved to approve the Housing Security Deposit Vouchers #7708 - #7723 as
251 presented. The motion was seconded by Councilor Sisneros carried unanimously.

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253 **FINANCIAL SECTION: 11f) Approval of Waste Water Treatment Plant Voucher #12-**
254 **17.**

255 Councilor Jaramillo moved to approve the Waste Water Treatment Plant Voucher #12-17 as

256 presented. The motion was seconded by Councilor Sisneros and carried unanimously.

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258 There being no further business the meeting was adjourned at 7:38 P.M.

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260 Done this 9th day of July 2007.

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262 ATTEST:

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265 _____
Ida Fierro, Town Clerk

266 (seal)

Patricia A. Chávez, Mayor