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4 **MINUTES OF A REGULAR MEETING**  
5 **OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**  
6 **HELD AT THE TOWN HALL**  
7 **September 10, 2007**  
8

9 The Governing Body of the Town of Bernalillo met in a special session within the law and rules  
10 of the Town on September 10, 2007, at 6:30 P.M.

11  
12 Upon Roll call the following members were found to be present:

13  
14 **PRESENT:**

15 Mayor Chávez  
16 Councilor Montoya  
17 Councilor Sisneros  
18 Councilor Jaramillo  
19 Councilor Torres

20 **ALSO PRESENT:**

21 Stephen Jerge            Steve Amiot  
22 Fred Radosevich        Margie Amiot  
23 Yolanda Mora            Brannon Porch  
24 Santiago Chavez        Peter Lucero  
25 Rob Burpo                James Estrada  
26 Kelly Moe                Lisa Benavidez  
27 John Estrada             Alfred Balconer  
28 Mary Kwapich            Shena Josue  
29 Mike Carroll             Trevor Reed  
30 Paul Huckabee

31 **ABSENT:**

32 **Others Present Not Identified**

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

34 Ida Fierro asked to move item 10c and 10 d prior to Public Hearing. Councilor Torres moved to  
35 approve the agenda as amended. The motion was seconded by Councilor Sisneros and motion  
36 carried unanimously.

37 **Public Hearing 5a) Proclamation declaring September 11, 2007 “Firefighters and**  
38 **Police Officer’s Day Remembrance”**

39 **Proclamation**

40 **WHEREAS**, the sixth anniversary of the most devastating terrorist attacks to ever hit our  
41 homeland is upon us; and

42 **WHEREAS**, the profound acts of cowardice by 19 Al-Qaeda terrorists on September 11, 2001,  
43 resulted in the horrific loss of nearly 3,000 innocent victims at the World Trade Center towers,  
44 the Pentagon and in a rural field in Shanksville, Pennsylvania; and

45 **WHEREAS**, police officers and firefighters responded to the attacks that dreadful day, rescuing  
46 thousands of citizens and, as they always do, displaying the honor, commitment and sacrifice  
above and beyond the call of duty that have come to define the public safety profession; and

47 **WHEREAS**, the firefighters and police officers who perished that day and those who worked as  
48 part of the massive recovery and support efforts remain pillars of courage to all for their selfless  
49 acts of bravery and devotion to their fellow citizens; and  
50

51 **WHEREAS**, the families of the police officers and firefighters that perished that unforgettable  
52 day and throughout the year will always be in the hearts of all Americans; and  
53

54 **WHEREAS**, the loss of civilians, firefighters and police officers in the collapse of the World  
55 Trade Center towers following those attacks has burned a place in the public consciousness of  
56 the date 9/11 and made it a day of remembrance for all Americans including firefighters and  
57 police officers throughout Bernalillo County; and  
58

59 **WHEREAS**, memorials like the National Law Enforcement Officers Memorial in Washington  
60 DC and the Fallen Fire Fighter Memorial in Colorado Springs give us a place to reflect on the  
61 selfless acts of courage and duty of not only those who fell on September 11, but those we have  
62 lost since and those who carry on.  
63

64 **NOW THEREFORE BE IT RESOLVED**, that I, Mayor of the Town of Bernalillo do hereby  
65 proclaim 9/11 be solemnly recognized as a Day of Remembrance for all firefighters and police  
66 officers who have fallen in the line of duty, everywhere.

67 **“FIREFIGHTERS AND POLICE OFFICER’S DAY OF REMEMBRANCE”**

68 **DONE**, this 10th day of September 2007, in the Town of Bernalillo, New Mexico.

69 Mayor Patricia A. Chávez presented Certificates of Appreciation to the Town of Bernalillo  
70 Volunteer Fire Fighters for their service in our community.

71  
72 **Recognition of Councilor Marian Jaramillo Graduate of Municipal Officials**  
73 **Leadership Institute.**  
74

75 Mayor Patricia A. Chávez recognized Marian Jaramillo for her completion of the  
76 Municipal Officials Leadership Institute. Mayor Patricia A. Chávez presented her with the  
77 certificate she was awarded at the New Mexico Municipal Annual Conference held in Las  
78 Cruces, NM in August.  
79

80 **Recognition of NM Wine Festival @ Bernalillo Staff Acknowledgements.**  
81

82 Mayor Patricia A. Chávez recognized Maria Rinaldi and many volunteers and employees  
83 in fully executing another successful Wine Festival. 25,000 people attended the Wine Festival  
84 9,000 of those ticket were sold online this is an improvement in purchasing tickets. Over 464  
85 total man hours were executed for a successful agenda and program for the three day event. The

86 personnel for manning the event was a paid pool and a volunteer pool. Mayor Patricia A.  
87 Chávez recognized the following employees; Maria Rinaldi, Ida Fierro, Chief Radosevich. Chief  
88 Estrada, Sharon Mora, Cordy Moreno, Councilman Montoya, Johnny Chavez, Myron Mora, all  
89 the fire department and police department employees, Susan Rivera, Randy Maestas, the  
90 Receptionist staff, and Water Department employees. Several volunteer organizations received a  
91 small stipend for assisting the Wine Festival; they are the Bernalillo Coronado Rotary, Duke  
92 City Civitan, and Sandoval County Sheriff Posse. Bernalillo High School Cheerleaders and the  
93 OLOS Youth Group assisted in parking vehicles and many more that may not have been  
94 mentioned. Mayor Chávez thanked all for their efforts. Mayor Patricia A. Chávez offered a  
95 round of applause for all. MRGOG provided information that 15,000 individuals rode the  
96 Railrunner to the Wine Festival. Mayor Patricia A. Chávez recognized the Bernalillo Mainstreet  
97 Board Members for being the sounding board and executing this economic event in our  
98 community and offered a separate round of applause.  
99

100 **PUBLIC HEARING: 5b) Discussion, Consideration and Adoption of Ordinance 235**  
101 **Implementing and Amendment to the Zoning Map to Annex Territory to the Town of**  
102 **Bernalillo. Presenter: Kelly Moe**  
103

104 STATE OF NEW MEXICO

TOWN OF BERNALILLO

105  
106 **ORDINANCE NO. 236**  
107

108 **AN ORDINANCE IMPLEMENTING AN AMENDMENT TO THE ZONING MAP IN**  
109 **ORDER TO DESIGNATE INITIAL ZONING FOR CERTAIN LANDS ANNEXED BY**  
110 **BAILEY OLSEN REED LLC TO THE TOWN OF BERNALILLO, AS: SU –**  
111 **BUSINESS PARK**  
112

113 **WHEREAS**, certain lands of Bailey Olsen Reed LLC, known as: Lot B, on Plat of  
114 survey of Lots A & B Lands of Bailey Olsen Reed LLC, being a portion of Tract 143, Felipe  
115 Gutierrez Grant, T13N R4E Projected sections 29, 32 & 33 NMPM, within Sandoval County New  
116 Mexico, as recorded on July 12, 2006 in Book 409, Page 34342, Doc# 200634342, comprising  
117 approximately 17.3142 acres; and as shown in 'EXHIBIT A') have been duly annexed to the Town  
118 of Bernalillo; and these lands require an initial zoning designation; and  
119

120 **WHEREAS**, the owner of said lands desires to develop them as a multi-tenant business park,  
121 and as required by the Town of Bernalillo Comprehensive Zoning Ordinance for such a proposed  
122 land use, the owner has requested a zoning designation for said lands of SU – Business Park (with  
123 a master land use and development plan - see 'EXHIBIT B'); and,  
124

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

127  
 128            **WHEREAS**, the requested zoning is deemed beneficial to the general welfare of the  
 129 Town of Bernalillo;  
 130

131            **THEREFORE**, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF  
 132 BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, AS FOLLOWS:  
 133

134            That Ordinance No. 175 entitled the “Comprehensive Zoning Ordinance of the Town of  
 135 Bernalillo” be hereby amended to provide for a change in the zoning map (being an initial  
 136 zoning of the lands specified herein) to SU – Business Park with a governing Master Plan for  
 137 the proposed development as shown in ‘EXHIBIT B’ attached hereto.  
 138

139 Mayor Chávez then swore in anyone testifying either for or against the Ordinance 235.  
 140

141 Paul Huckabee stated the property is surrounded by the Town of Bernalillo this annexation  
 142 would give the Town a solid property line on the frontage road, property taxes would increase;  
 143 emergency services would know what jurisdiction the property is to service and an increase to  
 144 gross receipts for the Town.  
 145

146 Mr. Huckabee was asked how many jobs this development would bring to the Town of  
 147 Bernalillo. He stated that he could not disclose the individual businesses coming in but stated  
 148 the businesses would bring in a great amount of gross receipts to the Town.  
 149

150 Councilor Jaramillo moved to approve the Adoption of Ordinance 235 with the conditions that is  
 151 there is no sewer connection then there is no water connection, water rights transferred to the  
 152 Town of Bernalillo at the time the Master Plan is adopted, and landscaping of a substantial  
 153 number of tree to screen the residential area. The motion was seconded by Councilor Sisneros.  
 154

155 Roll Call Vote

156            Councilor Montoya                      Yea  
 157            Councilor Torres                          Nea  
 158            Councilor Sisneros                        Yea  
 159            Councilor Jaramillo                        Yea  
 160

161 Ordinance 235 passes with a 3 to 1 vote.  
 162

163            **PUBLIC HEARING: 5c) Discussion, Consideration and Adoption of Ordinance 236**  
 164 **Implementing and Amendment to the Zoning Map in Order to Designate Initial Zoning for**  
 165 **Certain Lands Annexed by Baily Olsen Reed LLC to the Town of Bernalillo. Presenter:**  
 166 **Kelly Moe**  
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**ORDINANCE NO. 236**

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

*WHEREAS*, Bailey Olsen Reed LLC, a property owner in Sandoval County, has filed a petition (see EXHIBIT A) to annex certain lands to the Town of Bernalillo, as shown on ‘EXHIBIT B’, and further known as: Lot B, on Plat of survey of Lots A & B Lands of Bailey Olsen Reed LLC, being a portion of Tract 143, Felipe Gutierrez Grant, T13N R4E Projected sections 29, 32 & 33 NMPM, within Sandoval County New Mexico, as recorded on July 12, 2006 in Book 409, Page 34342, Doc# 200634342, comprising approximately 17.3142 acres; and

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

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

*WHEREAS*, the requested annexation is deemed to benefit 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 a change in the municipal boundary) to annex certain lands to the Town of Bernalillo, as described herein, and as shown in ‘EXHIBIT B’ attached hereto.

Councilor Sisneros moved to approve the Adoption of Ordinance 236 as presented. The motion was seconded by Councilor Jaramillo.

Roll Call Vote

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

210 Ordinance 236 passes with a 3 to 1 vote.

211

212

213 **APPROVAL OF MINUTES: 6a) Regular Meeting of September 10, 2007.**

214

215 Councilor Jaramillo stated line 90 sentence not complete. Ida will go back as review tape. Line  
216 92 should read "Governing Body Workshop". Line 129 "stated" instead of "state" , line 139  
217 "had" instead of "has", line 156 add "Study Area" after Downtown, Line 292 add "and  
218 communication" and line 103 insert "not" and eliminate "to not".

219

220 Councilor Jaramillo moved to approve the minutes of September 10, 2007 as amended. The  
221 motion was second by Councilor Sisneros and carried unanimously.

222

223 **NEW BUSINESS: 8a) Discussion, Consideration and Action on Adoption of**  
224 **Resolution 09/10/07 Authorizing and Approving Submission of a Completed Application**  
225 **for Financial Assistance and Project Approval to the New Mexico Environment**  
226 **Department. Presenter: Stephen Jerge**

227

228

229 **RESOLUTION NO. 09/10/07**

230

231

232 **AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION**  
233 **FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE**  
234 **NEW MEXICO ENVIRONMENT DEPARTMENT**

235

236

237 WHEREAS, the Town of Bernalillo ("Governmental Unit") is a qualified entity to borrow  
238 funds from the New Mexico Environment Department ("Department"), and the Town of Bernalillo  
239 ("Governing Body") is authorized to borrow funds and/or issue bonds for financing of public  
240 projects for benefit of the Governmental Unit; and

241

242 WHEREAS, the Department has instituted a program for financing of projects from the  
243 public project revolving fund created under the Act and has developed an application procedure  
244 whereby the Governing Body may submit an application ("Application") for financial assistance  
245 from the Department for public projects; and

246

247 WHEREAS, the Governing Body intends to undertake construction, development and  
248 improvements to current water wells of the Governing Body ("Project") for the benefit of the  
249 Governmental unit and its citizens; and

250

251 WHEREAS, the application prescribed by the Department has been completed and submitted

252 to the Governing Body and this resolution approving submission of the completed Application to the  
253 Department for its consideration and review is required as part of the Application.

254  
255 NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF  
256 BERNALILLO:

257  
258 Section 1. That all action (not inconsistent with the provision hereof) heretofore taken by  
259 the Governing body and the officers and employees thereof directed toward the Application and the  
260 Project, be and the same is hereby ratified, approved and confirmed.

261  
262 Section 2. That the completed Application submitted to the Governing Body, be and the  
263 same is hereby approved and confirmed.

264  
265 Section 3. That the officers and employees of the Governing Body are hereby directed and  
266 requested to submit the completed Application to the Department for its review, and are further  
267 authorized to take such other action as may be requested by the Department in its consideration and  
268 review of the Application and to further proceed with arrangements for financing the Project.

269  
270 Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded,  
271 annulled and repealed.

272  
273 Section 5. This resolution shall take effect immediately upon its adoption.

274  
275 Councilor Jaramillo moved to approve the Resolution 09/10/07 Authorizing and Approving  
276 Submission of a Completed Application for Financial Assistance and Project Approval to the  
277 New Mexico Environment Department. The motion was seconded by Councilor Sisneros.

278  
279 Roll Call Vote

280	Councilor Sisneros	Yea
281	Councilor Torres	Yea
282	Councilor Jaramillo	Yea
283	Councilor Montoya	Yea

284  
285  
286 **EXECUTIVE SESSION**

287  
288 A motion was made to go into executive session under section 10-15-1 (H) 8 meeting for the  
289 discussion of the pending acquisition or water rights by the public body.

290  
291 Councilor Sisneros moved to go into executive session. The motion was seconded by Councilor  
292 Jaramillo and carried unanimously.

293

294 Councilor Sisneros moved to go back into regular session at 8:00 P.M. The motion was seconded  
295 by Councilor Montoya and carried unanimously.

296  
297 Mayor Chávez stated that no action was taken in executive session.

298  
299 **MISCELLANEOUS: 10) Update Administration Items – Presenter Stephen Jerge.**  
300 Rob Burpo presented the 10 year Capital Outlay Financing Plan and the Issuance of GRT Bonds.  
301 No action taken as of this time.  
302 Stephen Jerge presented status on wells 1 & 2 and recap of wells 3 & 4 construction progress  
303 prepared by Ramesh Naraasimhan. No action taken as of this time.

304  
305 **FINANCIAL SECTION: 11a) Approval of General Fund Vouchers #32036-#32103.**

306  
307 Councilor Jaramillo moved to approve the General Fund Vouchers 32036 - #32103 as presented.  
308 The motion was seconded by Councilor Sisneros and carried unanimously.

309  
310 **FINANCIAL SECTION: 11b) Approval of Utility Fund Vouchers #62816 - #62857.**

311 Councilor Sisneros moved to approve the Utility Fund Vouchers #62816 - #62857 as presented.  
312 The motion was seconded by Councilor Montoya and carried unanimously.

313  
314 **FINANCIAL SECTION: 11c) Approval of MVD Fund Vouchers #66484 - #66494.**

315 Councilor Sisneros moved to approve the MVD Fund Vouchers #66484 - # 66494 as presented.  
316 The motion was seconded by Councilor Montoya and carried unanimously.

317  
318 **FINANCIAL SECTION: 11d) Approval of Housing Low Rent Vouchers #5314LR-**

319 **#5332LR.**  
320 Councilor Montoya moved to approve the Housing Low Rent Vouchers #5314LR - #5332LR as  
321 presented. The motion was seconded by Councilor Jaramillo and carried unanimously.

322  
323 **FINANCIAL SECTION: 11e) Approval of Section 8 Vouchers #7741-#7735.**

324 Councilor Montoya moved to approve the Section 8 Vouchers #7741 - #7735 as presented. The  
325 motion was seconded by Councilor Sisneros and carried unanimously.

326  
327  
328 There being no further business the meeting was adjourned at 9:20 P.M.

329  
330 Done this 10th day of September 2007.

331  
332 ATTEST:

333  
334 \_\_\_\_\_  
335 Ida Fierro, Town Clerk

334 \_\_\_\_\_  
335 Patricia A. Chávez, Mayor



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336 (seal)