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**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
June 22, 2009**

6 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
7 of the Town on June 22, 2009, at 6:30 P.M.

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

10 **PRESENT:**

11 Mayor Chávez
12 Councilor Jaramillo
13 Councilor Sisneros
14 Councilor Torres

ALSO PRESENT:

Maria Rinaldi Helen Sandoval
Mary Kwapick George Perez
Louie Paul Mike Moloney
Bonnie Hill James Pike
Ivan Pino Georgina Chavez
Cipi Montoya Debbie Kilfoy
Vern Kilfoy Anthony Apodaca
Jon Dominguez Steve Amiot
Margie Amiot Julieta Chavez
Liz Arellano Rita Last
Lori Dominguez Rob Burpo
Felicia Rodriquez Brannon Porch

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24 **ABSENT:**

25 Councilor Montoya

Others Present Not Identified

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

29 Councilor Torres asked to add under 11a) Miscellaneous discussion only of hiring Town
30 Manager.

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

35 **PRESENTATION: 5a) Credit Card Task Force Report. Presenter Rob Burpo**

36 The Credit Card Task Force presented their finding in a Report to the Governing Body.
37 In the report are recommendations for Credit Card Policy and Procedures to be implemented by
38 the Town of Bernalillo. Each member of the Task force gave an overview on their view of the
39 credit card abuse. The report noted that the task force believes that virtually all of the issues
40 presented were preventable. When other governments establish budgets for these types of
41 expenses, employees and elected officials know how much they have available to spend.
42

43 **PUBLIC HEARING: 6a) Discussion, Consideration and Action on Appeal of P& Z**
44 **Commission Decision; Approval for Demolition granted to Zia Realty Investment**
45 **Enterprises, Inc., Pueblo of Zia for demolition on building and walls at Tracts A1N, A2 and**
46 **A3A within T13N R4E SEC 31 & SEC32NMPM, a.k.a. Lands of La Salle/Old La Salle**

47 **Ranch. Presenter: Maria Rinaldi**

48

49 Maria Rinaldi, Director of Planning and Capital Programs appeals the above referenced
50 action of the Planning and Zoning Commission on Tuesday, June 2, 2009 on the following
51 grounds:

- 52 • Ordinance No. 202, Section 14.1 Subsection B, paragraph 1, requires that
53 demolition within the MainStreet Overlay Zone be carried out in accordance with
54 a site development plan approved by the Planning Commission.

55

56 A site development plan has not been submitted by the property owner and therefore the
57 Planning and Zoning Commission approved this action in violation of the ordinance.

58

- 59 • Ordinance No. 202, Section 14.1, subsection, paragraph 2, subparagraph e,
60 required the Planning Commission to determine that the property is incapable of
61 producing a reasonable economic return under the current conditions if no means
62 of preserving the structures has been found.

63

64 No such evidence was provided by, or asked of the property owner by the Commission.

65

66 Staff recommends that the Town Council overturn the approval of the above referenced action by
67 the Planning and Zoning Commission. At such time as the property owner may submit a site
68 development plan, staff will work with the property owner to ensure compliance with the
69 ordinance for review and approval by the Planning and Zoning Commission.

70

71 A brief discussion ensued by the Town Council and Maria Rinaldi about the importance of a Site
72 Development Plan and the requirement in the Mainstreet Overlay.

73

74 Those in favor of the demolition of the property were Governor Ivan Pino, Peter Pino, Jai
75 Lakshman, Bonnie Hill, Anne Rustbekke, David Mielke, Georgina Chavez, and Vern Kilfooy. All
76 individuals spoke of the danger to the community and the risk this building presented to the
77 community. Governor Ivan Pino and his developer Jai Lakshman indicated that it was their wish
78 to work with the Town of Bernalillo but felt that this building needed to be demolished for the
79 safety of the community.

80

81 After much discussion and deliberation Maria Rinaldi, Director of Planning and Capital
82 Programs withdrew her appeal of the Planning and Zoning Commission who were in favor of
83 demolition granted to Zia Realty Investment Enterprises, Inc., Pueblo of Zia.

84

85 Therefore the demolition remains granted to Zia Realty Investment Enterprises, Inc, Pueblo of
86 Zia on building and walls at Tracts A1N, A2 and A3A within T13N R4E SEC 31 &
87 SEC32NMPM, aka Lands of La Salle/Old La Salle Ranch.

88

89 **APPROVAL OF MINUTES 7a) Regular Meeting of June 08, 2009**

90 Councilor Torres moved to approve the minutes of June 08, 2009 as presented. The motion was
91 second by Councilor Sisneros and the motion carried unanimously.

92

93 **PERSONNEL: 8a) YCC Staff (9). Presenter Santiago Chavez**

94 Santiago Chavez stated that it was the recommendation of the selection committee to hire Jesus
95 Valdez, Vince Gnodle, Amor Montoya, Ivan Perez, Gonzalo Villegas, Michael Lopez, Nathan
96 Vaisa, Marcos Terrazas, Mario Narro, Jonathan Griego, Daniel Orduno, Jared Saiz, Devin
97 Larranaga, Andres Santillanes, Allan Valles for the Town of Bernalillo YCC Department.

98

99 Councilor Torres moved to approve the hiring of all 15 candidates for the Town of
100 Bernalillo YCC Department. The motion was seconded by Councilor Sisneros and the motion
101 carried unanimously.

102

103 **PERSONNEL: 8b) Utility Worker Water Department (4). Presenter Santiago**
104 **Chavez**

105 Santiago Chavez stated that it was the recommendation of the selection committee to hire
106 Michael Vecchitto, Ernesto Unale Antonio Baca and Jonathan Norris as Utility Workers for the
107 Town of Bernalillo Water Department.

108

109 Councilor Torres moved to approve the hiring of all 4 candidates for the Town of Bernalillo
110 Water Department. The motion was seconded by Councilor Sisneros and the motion carried
111 unanimously.

112

113 **PERSONNEL: 8c) Utility Worker W/Water (2). Presenter Santiago Chavez**

114 Santiago Chavez stated that it was the recommendation of the selection committee to hire Bryan
115 Conner and Paul Dutton as Utility Workers for the Town of Bernalillo Waste Water Department.

116

117 Councilor Torres moved to approve the hiring of Bryan Conner and Paul Dutton as Utility
118 Workers for the Town of Bernalillo Waste Water Department. The motion was seconded by
119 Councilor Sisneros and the motion carried unanimously.

120

121 **PERSONNEL: 8d) Lifeguards (3). Presenter Santiago Chavez**

122 Santiago Chavez stated that it was the recommendation of the selection committee to hire
123 Michael Gonzales, Steven Lopez, and Desiree Castillo as Lifeguards for the Town of Bernalillo
124 Recreation Department.

125

126 Councilor Torres moved to approve the hiring of all 3 candidates as Lifeguards for the Town
127 of Bernalillo Recreation Department. The motion was seconded by Councilor Sisneros and the
128 motion carried unanimously.

129

130 **NEW BUSINESS: 9a) Discussion, Consideration and Action on Approval and**
131 **Adoption of Resolution 06/22/09 Grant Agreement with the State of New Mexico**
132 **Environment Department SAP-07-4556-GF. Presenter: Maria Rinaldi**

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Resolution 06/22/09

Whereas, the Town of Bernalillo of Sandoval County of the State of New Mexico shall enter into a Grant Agreement with the State of New Mexico Environment Department, and

Whereas, the Agreement is identifies as SAP-07-4556-GF Grant Agreement,

NOW THEREFORE BE IT RESOLVED by the named applicant that:
Patricia A. Chávez, Mayor is authorized to sign the agreement for this project and, Maria Rinaldi, Capital Projects Administrator, or her successor is the GRANTEE REPRESENTATIVE who is authorized to submit and documents pertaining to the project and act as the single point of contact, and Santiago Chavez, Town Administrator, or his successor is the SIGNATORY AUTHORITY who is authorized to sign reimbursement requests and other documents requiring a signature for submittal for the New Mexico Environment Department.

NEW BUSINESS: 9b) Discussion, Consideration and Action on Approval and Adoption of Resolution 06/22/09A Grant Agreement with the State of New Mexico Environment Department SAP-07-4557-GF. Presenter: Maria Rinaldi

Resolution 06/22/09A

Whereas, the Town of Bernalillo of Sandoval County of the State of New Mexico shall enter into a Grant Agreement with the State of New Mexico Environment Department, and

Whereas, the Agreement is identifies as SAP-07-4557-GF Grant Agreement,

NOW THEREFORE BE IT RESOLVED by the named applicant that:
Patricia A. Chávez, Mayor is authorized to sign the agreement for this project and, Maria Rinaldi, Capital Projects Administrator, or her successor is the GRANTEE REPRESENTATIVE who is authorized to submit and documents pertaining to the project and act as the single point of contact, and Santiago Chavez, Town Administrator, or his successor is the SIGNATORY AUTHORITY who is authorized to sign reimbursement requests and other documents requiring a signature for submittal for the New Mexico Environment Department.

NEW BUSINESS: 9c) Discussion, Consideration and Action on Approval and Adoption of Resolution 06/22/09B Grant Agreement with the State of New Mexico

172 **Environment Department SAP-08-0316-STB. Presenter: Maria Rinaldi**

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174 **Resolution 06/22/09B**

175
176 **Whereas**, the Town of Bernalillo of Sandoval County of the State of New Mexico shall
177 enter into a Grant Agreement with the State of New Mexico Environment Department,
178 and

179 **Whereas**, the Agreement is identifies as SAP-08-0316-STB Grant Agreement,
180

181 **NOW THEREFORE BE IT RESOLVED** by the named applicant that:

182 Patricia A. Chávez, Mayor is authorized to sign the agreement for this project and,
183 Maria Rinaldi, Capital Projects Administrator, or her successor is the GRANTEE
184 REPRESENTATIVE who is authorized to submit and documents pertaining to the
185 project and act as the single point of contact, and Santiago Chavez, Town
186 Administrator, or his successor is the SIGNATORY AUTHORITY who is authorized to
187 sign reimbursement requests and other documents requiring a signature for submittal
188 for the New Mexico Environment Department.
189

190 Mayor Chávez called for a vote for Resolutions 06/22/09, 06/22/09A and 06/22/09B.

191
192 Councilor Sisneros moved to adopt Resolution 06/22/09, 06/22/09A, 06/22/09B. Grant
193 Agreements with the State of New Mexico Environment Department. The motion was seconded
194 by Councilor Torres and the motion carried unanimously.
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196 **NEW BUSINESS: 9d) Discussion, Consideration and Action on Approval of**
197 **Memorandum of Agreement between the Town of Bernalillo and the New Mexico Wine**
198 **County Inc. Presenter: Ida Fierro**
199

200 **MEMORANDUM OF AGREEMENT**

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202 WHEREAS, the Town of Bernalillo, contracted with the New Mexico Wine Growers
203 Association to host the New Mexico Wine Festival at Bernalillo, New Mexico; and
204

205 WHEREAS, the New Mexico Wine Growers Association has formed a new entity known as
206 “New Mexico Wine Country Inc.” for the purpose of contracting with the Town of Bernalillo to
207 host the New Mexico Wine Festival at Bernalillo, New Mexico; and
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209 WHEREAS, the Town of Bernalillo and New Mexico Wine Country Inc., wish to enter into a
210 five (5) year agreement between the parties for the hosting of the New Mexico Wine Festival at
211 Bernalillo, New Mexico.

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NOW THEREFORE, the parties enter into the following agreement:

1. The Town of Bernalillo, through its designee, agrees to host the New Mexico Wine Festival at Bernalillo, New Mexico, for the length of this agreement. The Town of Bernalillo will provide the current site for the hosting of this Wine Festival and will establish and implement a budget for this Wine Festival. Included in this budget will be reasonable site improvements and maintenance expenses directly related to the Wine Festival. The Town further agrees to contract all entertainment for the festival, to solicit applications for and select all artists and craft persons, agricultural product vendors, and food vendors, for the festival, and manage all aspects of the festival.

2. New Mexico Wine Country Inc. agrees that it will participate in the New Mexico Wine Festival at Bernalillo, New Mexico, for the length of this agreement. It further agrees to encourage New Mexico commercial wineries to participate in this festival and agrees that a maximum of twenty (20) will participate. These wineries will provide tasting and sales at the festivals. Wineries will participate all or no days for the Festival. All servers for wineries must be alcohol server trained.

3. New Mexico Wine Country Inc. will contract the commercial wineries, obtain all necessary permits for submittal to the Town of Bernalillo and manage all aspects of winery involvement in the festival. New Mexico Wine Country Inc. will also provide the Town all information needed for the preparation of a Wine Festival brochure and other advertisements. The parties agree that they New Mexico Wine Country Inc. will assign booth spaces according to the festival layout prepared by the Town of Bernalillo and will provide the necessary supplemental agreements for participation by the individual wineries.

4. The parties agree that the Town of Bernalillo will charge an entry fee of \$10.00 dollars per adult and \$5.00 for ages 13 through twenty for admission to the New Mexico Wine Festival at Bernalillo, for the 2009 event. The entry fee is subject to change at future events. From these proceeds New Mexico Wine Country Inc. and the Town of Bernalillo agree to dedicate One Dollar (\$1.00) of each admission for site improvements. In consideration for their participation in the festival, The Town of Bernalillo will pay to New Mexico Wine Country Inc., fifteen percent (15%) of the total admission.

5. The festival will be held all three days of Labor Day weekend. The gates will open at 12:00 Noon and close at 6:00pm. Winery sales will end at 6:00pm.

6. The parties agree to cooperate and sign all documents required to conduct this festival.

Mayor Chávez called for a vote.

255 Councilor Sisneros moved to approve the Memorandum of Agreement between the Town of
256 Bernalillo and the New Mexico Wine County Inc. with the change of admission being \$10.00 for
257 2009 due to the economy. The motion was seconded by Councilor Torres and the motion carried
258 unanimously.
259

260 **FINANCIAL SECTION:10a) Approval of Account Payable List.**

261 Councilor Sisneros made a motion to approve all the vouchers presented for payment in the
262 amount \$676,645.60. The motion was seconded by Councilor Torres and the motion carried
263 unanimously.
264

265 **MISCELLANEOUS SECTION:11a) Town Manager Hiring.**

266 Human Resources will pull the Job Description for Town Manager and post it. A
267 committee will interview the applicants and one council member will be invited to sit on the
268 committee for the interview process of the Town Manager. An appointment recommendation
269 will be presented to the council after the process is completed.
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272 There being no further business, the meeting was adjourned at 9:15P.M.
273 Done this 22nd day of June 2009.

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275 ATTEST:

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278 _____
Ida Fierro, Town Clerk

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281 (seal)

Patricia A. Chávez, Mayor