

1 **MINUTES OF A REGULAR MEETING**
2 **OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**
3 **HELD AT THE TOWN HALL**
4 **February 8, 2010**
5

6 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
7 of the Town on February 8, 2010, at 6:30 P.M.

8 Upon Roll call the following members were found to be present:
9

10 **PRESENT:**

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

ALSO PRESENT:

Margie Amiot Steve Amiot
Fred Radosevich Mike Moloney
Mark Lopez Sal Reyes
Brian Muniz Larry Blair
George Perez

16
17 **ABSENT:**

Others Present Not Identified

18
19
20 **APPROVAL OF AGENDA: 4a)**

21 Councilor Montoya moved to approve the agenda as presented. The motion was seconded by
22 Councilor Torres and the motion carried unanimously.
23

24 **PRESENTATION ND: 5a)**

25 Sal Reyes, Chairman of the Board for Eastern Sandoval County Flood Authority stated he was
26 pleased to inform Governing Body the Authority had presented a check to the Town Treasure for
27 payment of principal and interest in full and on behalf of the Board of Directors, he expressed
28 their gratitude to the Town of Bernalillo for its generosity and graciousness in loaning the
29 Authority the beginning operating funds. The funds enabled the Authority to operate while
30 waiting for their first tax distribution; and allowed it to pay their contractor and other expenses in
31 a timely manner, rather than deferring to a later date.
32

33 **PROCLAMATION: 6a)**

34 **PROCLAMATION**

35 **WHEREAS**, teen dating violence is a pattern of actual or threatened physical , sexual, emotional and technological
36 abuse perpetrated by an adolescent against a current or former dating partner; and

37 **WHEREAS**, 47% of teens naturally have been controlled 24% have experienced technological abuse, and 29% have
38 been physically or sexually abused during their relationships, and 80 % know someone who has been controlled by
39 their dating partner; and

40 **WHEREAS**, 1-in-9 New Mexico teens report being hit, slapped, or intentionally harmed be their dating partner in the
41 past year; and

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42 **WHEREAS**, youth of color in New Mexico experience disproportional rates of victimization, with 21.7% of Latino,
43 and 12.6% of Native-American teens reporting physical dating violence; and

44 **WHEREAS**, technologies such as cell-phone and the Internet have been made dating abuse both more pervasive and
45 hidden, increasing the damage of dating violence and stalking; and

46 **WHEREAS**, teen violence is considered a serious public health issue placing adolescent victims at greater risk for
47 poor academic achievement, teen pregnancy, substance use, behaviors associated with violence, suicide and adult re-
48 victimization; and

49 **WHEREAS**, the severity of violence among intimate partners has been shown to be greater in cases where the pattern
50 of violence has been established in adolescence, and parents are largely unaware of the abuse their teens are
51 experiencing, particularly cell-phone and Internet abuse; and

52 **WHEREAS**, the establishment of National Teen Dating Violence Awareness and Prevention Month will benefit
53 teens, their families, schools, an communities regardless of socioeconomic status, ethnicity or gender; and

54 **NOW, THEREFORE, I, Patricia A. Chávez, Mayor of Town of Bernalillo, do hereby proclaim, February 2010:**

55 **“Dating Violence Awareness & Prevention Month”**

56 **I further call upon all citizens of Town of Bernalillo to observe February 2010, as Dating Violence Awareness &**
57 **Prevention Month.**

58 **In witness thereof, I have hereunto set my hand and caused the Seal of the Town of Bernalillo to be affixed.**

59
60 **APPROVAL OF MINUTES 5a) Regular Meeting of January 25, 2010**

61 Mayor Chávez stated on line #39 “recommenced” should be “recommended” and on line #139
62 “Information has also been in monthly Town of Bernalillo newsletters” was also stated.

63
64 Councilor Jaramillo moved to approve the minutes of January 25, 2010 as amended. The motion
65 was seconded by Councilor Montoya and the motion carried unanimously.

66
67 **PERSONNEL: 8a) Administrative Assistant. Presenter Yolanda Mora**

68 Yolanda Mora stated that it was the recommendation of the selection committee to hire Darlene
69 Sanchez-Jasler as Administrative Assistant for the Town of Bernalillo Police Department this is
70 a temporary full time position funds are provided from a grant for one year.

71
72 Councilor Torres moved to approve the hiring Darlene Sanchez-Jasler as Administrative
73 Assistant for the Town of Bernalillo Police Department. The motion was seconded by Councilor
74 Sisneros and the motion carried unanimously.

75 **PERSONNEL: 8b) Waste Water Worker (2) Assistant. Presenter Yolanda Mora**

76 Yolanda Mora stated that it was the recommendation of the selection committee to hire Larry
77 Mikkelsen and Mark Wooton as Waste Water Workers for the Town of Bernalillo Waste Water
78 Department.

79
80 Councilor Jaramillo moved to approve the hiring of Larry Mikkelsen and Mark Wooton as
81 Waste Water Workers for the Town of Bernalillo Waste Water Department. The motion was
82 seconded by Councilor Sisneros and the motion carried unanimously.

83
84 **PERSONNEL: 8c) Utility Worker. Presenter Yolanda Mora**

85 Yolanda Mora stated that it was the recommendation of the selection committee to hire Anthony
86 Jaramillo as a Utility Worker for the Town of Bernalillo Water Department.

87
88 Councilor Torres moved to approve the hiring of Anthony Jaramillo as a Utility Worker for the
89 Town of Bernalillo Water Department. The motion was seconded by Councilor Sisneros and the
90 motion carried unanimously.

91
92 **NEW BUSINESS: 9a) Discussion, Consideration and Action of Letter Containing**
93 **Findings of Facts and Conclusions of Laws Reference Amiot Appeal of Piedra Lisa Plat**
94 **Approval Meeting Supporting Documentation of December 14, 2009. Presenter: George**
95 **Perez**

96 George Perez, Town Attorney stated it is pursuant to state statute whenever an appeal is
97 presented to the council for planning and zoning the council is required to make findings as to
98 why they voted the way they voted, that way if the appeal is taken to district court there are
99 reasons the court can look in the findings of the council. Mr. Kelly Moe has prepared in letter
100 form those finding from the meeting of December 14, 2009 and we ask that you adopt those as
101 the reasons to your decision of December 14, 2009 Amiot Appeal of Piedra Lisa Plat be
102 approved.

103
104 **January 22, 2010**

105
106 **Eric Schoen**
107 **Olive Drab LLC c/o**
108 **Eric Schoen & Associates, Inc.**
109 **Commercial Real Estate Services**
110 **PO Box 92336**
111 **Albuquerque, NM 87199**

112
113 **RE: *Piedra Lisa Preliminary Plat approval - Action on Appeal (Amiot)***

114
115 **Mr. Schoen:**

116
117 Please be advised that the approval for a Preliminary Plat for the Piedra Lisa subdivision,
118 which was granted by the Town of Bernalillo Planning and Zoning Commission at its regular
119 meeting of October 6, 2009, was upheld, and the appeal of said approval which was filed by
120 Steve & Margie Amiot was denied, by the Bernalillo Town Council at its regular meeting of

121 December 14, 2009.

122
123 In reaching its decision, the Council found that:

- 124
- 125 1) The Preliminary Plat conforms to the requirements of the Town Subdivision regulations as
- 126 traditionally interpreted and administered by the Town.
- 127 2) The Preliminary Plat conforms to the Master Plan approved as an integral part of
- 128 Ordinance 242 (an Ordinance for a Zone Amendment to Special Use (SU)), as required
- 129 for such an SU Zoning District by the Comprehensive Zoning Ordinance of the Town of
- 130 Bernalillo.
- 131 3) The Preliminary Plat also conforms to those conditions imposed by Ordinance 242 which
- 132 are appropriate at this stage of development of the project.
- 133 4) The progress regarding installation of the physical improvements to Piedra Lisa Street is
- 134 still timely, as the only reason for the delay of said installation has been the stay of any
- 135 such activity as required by law due to the several and various appeals filed in the case,
- 136 primarily those of Mr. & Mrs. Amiot themselves.
- 137 5) The retaining wall on the south side of the development does not infringe upon the
- 138 property of the adjacent owners, Mr. & Mrs. Dome.
- 139

140 Mayor Chávez entertained a motion.

141
142 Councilor Sisneros moved to Approve the Letter Containing Findings of Facts and Conclusions
143 of Laws on the Amiot Appeal of Piedra Lisa Plat Documentation of December 14, 2009. The
144 motion was seconded by Councilor Montoya the motion carried unanimously.

145
146 **NEW BUSINESS: 9a) Discussion, Consideration and Action on Adoption of**
147 **Resolution 02/08/10 Budget Adjustment for General Fund Fiscal Year 2009/2010.**
148 **Presenter: Santiago Chavez**
149

TOWN OF BERNALILLO
RESOLUTION NO.
02/08/10

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 8th day of February, 2010 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to the unanticipated increase in expenditures:

NOW, THEREFORE BE IT RESOLVED; that the budget be amended as follows:

	TO	FROM
GRT Bond		(\$320,388.98)

Adm Prof Services	\$	236,388.98	
Parks Furn & Equip	\$	82,000.00	
TOTAL	\$	320,388.98	(\$320,388.98)

150 Mayor Chávez entertained a motion for the Adoption of Resolution 02/08/10 General Fund
 151 Budget Transfer.

152 Councilor Jaramillo moved to Adopt Resolution 02/08/10 General Fund Budget Transfer.
 153 The motion was seconded by Councilor Torres and the motion carried unanimously.

154 **NEW BUSINESS8 9b) Discussion, Consideration and Action on Adoption of**
 155 **Resolution 02/08/10 Utility Fund Budget Transfer. Presenter: Santiago Chavez**

TOWN OF BERNALILLO
 RESOLUTION NO.
 02/08/10A

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 8th day of February, 2010 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to the unanticipated increase in expenditures:

NOW, THEREFORE BE IT RESOLVED; that the budget be amended as follows:

	TO	FROM
Bond		(\$104,000.00)
Wtr Pump	\$ 50,000.00	
WWLS	\$ 54,000.00	
TOTAL	\$ 104,000.00	\$ (104,000.00)

158 Mayor Chávez entertained a motion for the Adoption of Resolution 02/08/10A Utility Fund
 159 Budget Transfer.
 160

161 Councilor Jaramillo moved to Adopt Resolution 02/08/10A Utility Fund Budget Transfer.
162 The motion was seconded by Councilor Montoya and the motion carried unanimously.
163

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

165 Mayor Chávez asked for a motion to approve the accounts payable voucher list in the amount of
166 \$411,540.81.
167

168 Councilor Sisneros made a motion to approve the accounts payable voucher list in the amount of
169 \$411,540.81. The motion was seconded by Councilor Jaramillo and the motion carried
170 unanimously.
171

172 **MISCELLANEOUS SECTION:11a) 2009 Town of Bernalillo Police Department**
173 **Annual Report. Presenter: Chief Fred Radosevich**

174 Fred Radosevich, Chief of the Town of Bernalillo Police Department presented the 2009 Annual
175 Report for the Police Department.
176

177 The Governing Body expressed that the Town of Bernalillo Police Department is to be
178 commended on the great job the department is doing.
179

180 **MISCELLANEOUS SECTION:11b) Councilor Request for Agenda Item on Bernalillo**
181 **Public Schools. Presenter: Mayor Chávez**

182 Mayor Chávez stated she had met with Barbara Louder, Superintendent of the Bernalillo Public
183 Schools regarding the recent finding from the Legislative Finance Committee expressed Barbara
184 Louder that in behalf of the Town of Bernalillo we are concerned and has invited her to update
185 the Governing Body and provide information where the Town of Bernalillo can help. Barbara
186 Louder indicated that they are going to present their formal response to the Legislative Finance
187 Committee once that has been presented. Barbara Louder also invited everyone to attend the
188 February 25, 2020 Bernalillo School Board meeting where the action plan will be discussed. It
189 would be inappropriate for Barbara Louder to address the Town Council without first giving the
190 Legislative Finance Committee the Bernalillo Public Schools action plan. Once that has been
191 done, Barbara Louder would be invited to attend a meeting to update the Town Council, so that
192 questions can be answered that have been asked by the public.
193

194 Councilor Montoya stated that his thought to bring up this issue was to be informed and to
195 answer the public. He knows there are positive things happening in the schools. Being informed
196 of all the issues addressing the Bernalillo Public Schools would just assist the Town Council in
197 addressing questions that are asked of them by the public.
198

199 There being no further business, the meeting was adjourned at 7:40P.M.
200

201 Done this 08th day of February 2010.
202

203 ATTEST:

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204

205

206 _____
Ida Fierro, Town Clerk
207 (seal)

Patricia A. Chávez, Mayor