

1
2
3
4
5
6
7
8
9

**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
February 22, 2010**

10 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
11 of the Town on February 22, 2010, at 6:30 P.M.

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

13
14
15
16
17
18

19 **PRESENT:**

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

25
26
27
28
29
30

31 **ALSO PRESENT:**

32 Wayne Wormhood Steve Amiot
33 Fred Radosevich Mike Moloney
34 Mark Lopez Debbie Kilfoy
35 Brian Muniz Cipi Montoya
36 George Perez Rita Last
37 Tom Wilson Bob Satriana

38
39
40
41
42
43
44
45

46 **ABSENT:**

47 **Others Present Not Identified**

48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

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

102 Mayor Chávez asked to add under Miscellaneous Update on Bernalillo Public Schools.
103 Councilor Jaramillo also asked to add under Miscellaneous Discussion for a Special Meeting.

104 Councilor Torres moved to approve the agenda as amended. The motion was seconded by
105 Councilor Sisneros and the motion carried unanimously.

106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200

201 **PUBLIC HEARING:5a) Discussion, Consideration and Action on Approval of the**
202 **State of New Mexico doption of Ordinance #254 An Ordinance Relating to Compensation**
203 **for Members of the Governing Body and Municipal Judge of the Town of Bernalillo.**

204 **Presenter: Santiago Chavez**

205 ORDINANCE NO. 254

206 AN ORDINANCE AMENDING ORDINANCE NO. 219
207 RELATING TO COMPENSATION FOR MEMBERS OF THE GOVERNING BODY
208 AND MUNICIPAL JUDGE OF THE TOWN OF BERNALILLO

209 BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERNALILLO,
210 NEW MEXICO.

- 211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
- 301 1. Governing Body: The Governing body of the Town of Bernalillo shall consist of the
302 Mayor and four at-large Trustees. The governing body shall be vested all corporate
303 authority of the Town.

- 46 2. Compensation: The compensation for the Mayor, Board of Trustees and Municipal
47 Judge for their terms commencing on or after March 2, 2010, shall be as follows:
48
49 A. The Mayor. The Mayor shall be compensated for attendance at each regular
50 meeting of the governing body of the Town of Bernalillo at the rate of One
51 Thousand Dollars (\$1,000.00) per month; and, shall be compensated for
52 attendance at each special meeting of the governing body or meeting requiring
53 representation of the municipality of the Town of Bernalillo at the rate of One
54 Hundred Twenty-Five Dollars (\$125.00) per meeting.
55
56 B. Board of Trustees. Members of the Board of Trustees shall be compensated for
57 attendance at each regular meeting of the governing body of the Town of
58 Bernalillo at the rate of Five Hundred Dollars (\$500.00) per month; and, they
59 shall be compensated for attendance at each special meeting of the governing
60 body or meeting requiring representation of the municipality of the Town of
61 Bernalillo at the request of the mayor at the rate of Fifty Dollars (\$50.00) per
62 meeting.
63
64 C. Municipal Judge. The Municipal Judge shall be paid Seven Hundred Dollars
65 (\$700.00) per month.
66
67 3. Repeal: All ordinances or parts of ordinance in conflict herewith are hereby repealed.
68
69 4. Severability: Should any section, subsection, paragraph or part hereof be declared
70 unconstitutional or invalid, the same shall not invalidate any other part or portion of
71 this ordinance, it being the intent of the Board of Trustees to enact each section,
72 subsection, paragraph and part thereof independently of every other part.
73

74 PASSED, APPROVED AND ADOPTED THIS 22nd DAY OF 2010.

75
76 A brief discussion ensued about the issue of what constitutes a special meeting and what is the
77 process for payment of a special meeting. The process for payment is that a billing statement is
78 given to the clerk with an agenda attached. The definition of a special meeting is a meeting
79 requiring representation of the Town of Bernalillo. Not just a meeting with constituents that
80 does not require a representative of the Town of Bernalillo.

81
82 Mayor Chávez asked if anyone signed up to speak for/against Ordinance #254.

83
84 Ida Fierro, Clerk indicated no one had signed up to speak for/against Ordinance 254.

85
86 Mayor Chávez called for a vote.

87
88 Councilor Jaramillo moved to approve the adoption of Ordinance # 254. The motion was

89 seconded by Councilor Sisneros.

90

91 Roll Call Vote

92 Councilor Jaramillo Yea

93 Councilor Sisneros Yea

94 Councilor Montoya Yea

95 Councilor Torres Yea

96

97

98 **APPROVAL OF MINUTES 6a) Special Meeting of February 01, 2010**

99 Councilor Sisneros moved to approve the minutes of February 01, 2010 as amended. The motion
100 was seconded by Councilor Montoya and the motion carried unanimously.

101

102 **APPROVAL OF MINUTES 6b) Regular Meeting of February 08, 2010**

103 Councilor Torres moved to approve the minutes of February 08, 2010 as amended. The motion
104 was seconded by Councilor Jaramillo and the motion carried unanimously.

105

106 **NEW BUSINESS: 7a) Discussion, Consideration and Action on Adoption of**
107 **Resolution 02/22/10 Authorizing Participation in the Local Government Road Program.**
108 **Presenter: Maria Rinaldi**

109

110

Resolution Number 2-22-10

111 **A Resolution Authorizing Participation in the Local Government Road Co-Op Program**

112

113 **Whereas**, the Town of Bernalillo is eligible to participate in the Local Government Road Co-op
114 Program of the State of New Mexico Department of Transportation, and

115

116 **Whereas**, improvements such as reconstruction, pavement rehabilitation, and miscellaneous
117 construction is necessary on various municipal roads, and

118

119 **Whereas**, the total cost of the project is estimated to be **\$83,000** to be funded in proportional
120 share by the parties hereto as follows:

121

122 **a.** New Mexico Department of Transportation's share shall be **75% or \$62,250.00**

123

And

124 **b.** Town of Bernalillo's share shall be **25% or \$20,750.00**

125

126 **Now Therefore be it Resolved** by the Governing Body of the Town of Bernalillo that the attached
127 **Cooperative Agreement for Project Number SP-3-10(941)** be approved and signed by the Chief
128 Elected Official.

129

130 Mayor Chávez entertained a motion.

131

Councilor Jaramillo moved to approve Resolution 02/22/10 Authorizing Participation in the Local Government Road Program. The motion was seconded by Councilor Montoya the motion carried unanimously.

NEW BUSINESS: 7b) Discussion, Consideration and Action on Adoption of Resolution 02/22/10A Determining that the Building or Structure at 1018 S. Camino del Pueblo is Ruined, Damaged and Dilapidated as to be a Menace to the Public Comfort, Health, Peace, or Safety and that it is to be Required to be Removed. Presenter: Wayne Wormhood

Resolution No. 02/22/10A

A RESOLUTION OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO DETERMINING THAT THE BUILDING OR STRUCTURE AT 1018 S. Camino Del Pueblo, WITHIN THE TOWN LIMITS OF BERNALILLO, NM IS SO RUINED DAMAGED AND DILAPIDATED AS TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFTY AND THAT IT IS TO BE REQUIRED TO BE REMOVED.

WHEREAS, the building, structure or premises is located at 1018 S. Camino Del Pueblo, which is located and is more particularly described as: Tract 116A, Map11, UPC #1 020 072 014 379 929, to the Town of Bernalillo, New Mexico; *and*

WHEREAS, The Planning Department, Building and Code Enforcement Division of the Town of Bernalillo has investigated the condition of said building, structure or premises and has found same to be so ruined, damaged and dilapidated that it constitutes a menace to the public comfort, health, peace or safety and warrants condemnation and removal.

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

Section 1. That the findings of the Building Official, in regard to said building, structure or premises is found to be ruined, damaged and dilapidated, as to be a menace to the public comfort, health, peace or safety pursuant to Section 3-18-5, N.M.S.A., 1978; Ord. #197 and 199.

Section 2. That Gustavo Leyba, recorded owner of said building, structure, or premises shall commence removal of same within ten (10) days after service of a copy of this Resolution or the posting and publishing thereof, or within said ten (10) day period, file written objection to findings herein with the Town Clerk of the Town of Bernalillo, asking for a hearing before the Town Council. Section 1-18-5 C

Section 3. If there is a failure of compliance with the provision of Section 2 herein, the Town of Bernalillo shall proceed to remove said building, structure or premises and abate said unsafe condition and the cost thereof shall constitute a lien against such property so removed and against said lot or parcel of land from which such removal be made, all as

178 required and allowed by law and accrued interest. Section 1-18-5 F (3)

179
180 Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase
181 of this resolution is for any reason held to be invalid or unenforceable by any court of
182 competent jurisdiction, such decision shall not affect the validity of the remaining
183 provisions of this resolution.

184
185 Mayor Chávez entertained a motion for the Adoption of Resolution 02/22/10A
186 Determining that the Building or Structure at 1018 S. Camino del Pueblo is Ruined, Damaged
187 and Dilapidated as to be a Menace to the Public Comfort, Health, Peace, or Safety and that it is
188 to be Required to be Removed.

189
190 Councilor Montoya moved to Adopt Resolution 02/22/10A Determining that the
191 Building or Structure at 1018 S. Camino del Pueblo is Ruined, Damaged and Dilapidated as to
192 be a Menace to the Public Comfort, Health, Peace, or Safety and that it is to be Required to be
193 Removed. The motion was seconded by Councilor Sisneros and the motion carried unanimously.

194
195 **NEW BUSINESS: 7c) Discussion, Consideration and Action on Adoption of Resolution**
196 **02/22/10B Compensation for the Planning and Zoning Commission. Presenter: Santiago**
197 **Chavez**

198 **Town of Bernalillo**

199
200 **RESOLUTION NO. 02/22/10B**

201
202
203 WHEREAS, the Planning and Zoning Commission for the Town of Bernalillo shall
204 be compensated \$50 per meeting attended during the time they serve as
205 Planning and Zoning Board Members for the Town of Bernalillo;

206
207 NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of
208 Bernalillo, New Mexico, does grant compensation to the Planning and Zoning
209 Commission; and

210
211 BE IT FURTHER RESOLVED that the Governing Body of the Town of Bernalillo
212 approval for the compensation to take effect March 2010.

213
214 Mayor Chávez entertained a motion for the Adoption of Resolution 02/22/10B
215 Compensation for the Planning and Zoning Commission.

216
217 Councilor Sisneros moved to Adopt Resolution 02/22/10B Compensation for the Planning
218 and Zoning Commission. The motion was seconded by Councilor Jaramillo and the motion
219 carried unanimously.

220
221 **FINANCIAL SECTION: 8a) Approval of Account Payable List.**

222 Mayor Chávez asked for a motion to approve the accounts payable voucher list in the amount of
223 \$224,142.18.
224

225 Councilor Jaramillo made a motion to approve the accounts payable voucher list in the amount
226 of \$224,142.18. The motion was seconded by Councilor Torres and the motion carried
227 unanimously.
228

229 **MISCELLANEOUS SECTION: 9a) GIS Strategic Plan Update Presenter: Raul**
230 **Araujo**
231

232 Raul Araujo, GIS Technician, presented a brief overview of the Geographical Information
233 System which included status update, new projects and pending issues with the GIS system.
234

235 **MISCELLANEOUS SECTION: 9b) Discussion of a Special Meeting to Discuss**
236 **Compensation for Staff Members Given Additional Duties. Presenter: Councilor Jaramillo**
237

237 Councilor Jaramillo stated it is the wish of the Council to have a Special Meeting to discuss
238 compensation for the individual given added duties in April 2009. The meeting is to be on
239 Friday at 6:00 p.m. February 26, 2010.
240

241 **MISCELLANEOUS SECTION:9c) Mayor Chávez Update on Bernalillo Public**
242 **Schools. Presenter: Mayor Chávez**
243

243 Mayor Chávez stated she had received an update from Barbara Lowder, Superintendent of the
244 Bernalillo Public Schools and indicated that at the meeting of February 25, 2010 the item of the
245 Audit Finding and Action Plan to be presented to the Legislative Finance Committee was not on
246 the agenda. There is a special meeting on March 4, 2010 for the Bernalillo Public School Board
247 to discuss the Bernalillo Public Schools Action Plan.
248

249 There being no further business, the meeting was adjourned at 8:40P.M.
250

251 Done this 22th day of February 2010.
252

253 ATTEST:
254

255 _____
256 Ida Fierro, Town Clerk
257 (seal)

255 _____
256 Jack Torres, Mayor