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**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
July 26, 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 June 26, 2010, at 6:30 P.M.

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

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18 **PRESENT:**

19 Councilor Prairie
20 Councilor Jaramillo
21 Councilor Sisneros
22 Councilor Montoya

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28 **ALSO PRESENT:**

29 Mike Moloney Larry Blair
30 Bob Paulette Angela Valdez
31 Maria Rinaldi

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38 **ABSENT:**

39 Mayor Torres

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47 **Others Present Not Identified**

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

102 Mayor Pro-Tem Marian Jaramillo made an addition to the agenda Bob Paulette, Wilson and
103 Company to present an update on Wells 3 & 4. The item will be 5(b).

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

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199 **PRESENTATION: 5a) Update on Eastern Sandoval County Arroyo Flood Control**

201 **Authority. Presenter: Larry Blair**

202 Larry Blair, Interim Executive Director for ESCAFCA gave a presentation about ESCAFCA.
203 Jurisdictional boundaries were shown with a map of where those boundaries lie in the FEMA
204 DFIRM map of Bernalillo. Possible ideas of water shed facility in the Athena Avenue and South
205 Hill Road a potential area of mitigation for water shed facility as well. The water shed facilities
206 would also serve the community as public parks, soccer fields, baseball fields. They would be
207 multiuse facilities. ESCAFCA is also working with Army Corp of Engineers on the Rio Grande
208 Levees to upgrade and improve the Levees.

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301 **PRESENTATION: 5b) Update on Wells 3 & 4. Presenter: Bob Paulette Wilson &**
302 **Company**

303 Bob Paulette, of Wilson and Company gave an update on Wells 3 & 4. Efforts on Well 4 have
304 been repeated at Well 3. It has been offline for many months. Media has been changed.
305 Electrical changes have been made to Well 3 to be able to provide the chemical feed to provide
306 Arsenic treatment of fluoric acid to the water. This should be on line sometime within the next
307 week. This will give the Town of Bernalillo two wells to provide drinking water to the Town of
308 Bernalillo.

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PUBLIC HEARING: 6a) Discussion, Consideration and Action on Adoption of Ordinance 256 Enacting the Collection of an Administrative Fee in Connection with Providing Services for the Motor Vehicle Division. Presenter: Ida Fierro

STATE OF NEW MEXICO TOWN OF BERNALILLO

ORDINANCE NO. 256

AN ORDINANCE ENACTING THE COLLECTION OF AN ADMINISTRATIVE FEE IN CONNECTION WITH PROVIDING SERVICES FOR THE NEW MEXICO MOTOR VEHICLE DIVISION

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERNALILLO NEW MEXICO:

Department of Motor Vehicle Fees: The Town of Bernalillo Treasurer shall cause to be collected an administration fee of \$5.00 from each person requesting a service in connection with every transaction processed for the New Mexico Taxation and Revenue Department, Motor Vehicle Division (MVD) by the Town of Bernalillo as an agent of MVD. The Town treasurer shall deposit the fees so collected in the General Fund of the Town.

ADOPTED AND APPROVED THIS 26TH DAY OF July, 2010

Mayor Pro Tem Jaramillo asked if anyone would like to speak for or against.

There were no individuals to speak for or against Ordinance 256.

Mayor Pro Tem Jaramillo asked for a motion to adopt Ordinance 256 Enacting the Collection of an Administrative Fee in Connection with Providing Services for the Motor Vehicle Division.

Councilor Prairie moved to adopt Ordinance 256 Enacting the Collection of an Administrative Fee in Connection with Providing Services for the Motor Vehicle Division. The motion was seconded by Councilor Sisneros.

Roll Call Vote

Councilor Jaramillo Yea
Councilor Sisneros Yea
Councilor Montoya Nea
Councilor Prairie Yea

90
91 **APPROVAL OF MINUTES 7a) Special Meeting of June 29, 2010**

92 Councilor Prairie moved to approve the minutes of June 29, 2010 as presented. The motion was
93 seconded by Councilor Montoya and the motion carried unanimously.

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95 **APPROVAL OF MINUTES 7b) Regular Meeting of July 12, 2010**

96 Councilor Montoya moved to approve the minutes of July 12, 2010 as presented. The motion
97 was seconded by Councilor Sisneros and the motion carried unanimously.

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99 **NEW BUSINESS: 8a) Discussion, Consideration and Action on Approval of**
100 **Memorandum of Agreement with New Mexico Wine Country Inc. Presenter: Maria**
101 **Rinaldi**

102 **MEMORANDUM OF AGREEMENT**

103
104 WHEREAS, the Town of Bernalillo and New Mexico Wine Country Inc. (NMWC), wish to
105 enter into a four (4) year agreement between the parties for the hosting of the New Mexico Wine
106 Festival at Bernalillo, New Mexico, and

107
108 WHEREAS, the period of this agreement will commence with the 23rd Annual New Mexico
109 Wine Festival, 2010 and will terminate upon the completion of the 26th Annual New Mexico
110 Wine Festival, 2013.

111
112 NOW THEREFORE, the parties enter into the following agreement:

113
114 1. The Town of Bernalillo, through its designee, agrees to host the New Mexico
115 Wine Festival at Bernalillo, New Mexico, for the length of this agreement. The Town of
116 Bernalillo will provide the current site for the hosting of this Wine Festival and will establish
117 and implement a budget for this Wine Festival. The Town further agrees to contract all
118 entertainment for the festival, to solicit applications for and select all artists and craft persons,
119 agricultural product vendors, and food vendors, for the festival, and manage all aspects of the
120 festival.

121
122 2. New Mexico Wine Country Inc. agrees to participate in the New Mexico Wine
123 Festival at Bernalillo, New Mexico, for the length of this agreement. NMWC further agrees to
124 encourage New Mexico commercial wineries to participate in this festival and agrees that a
125 minimum of twenty (20) wineries will participate. A maximum number of participating wineries
126 is to be determined annually by both parties dependent upon the availability of space on the
127 festival grounds. Participating wineries will provide tasting and sales at the festivals. Wineries
128 will participate all three days of the Festival and will ensure that all servers will be Alcohol
129 Server Trained.

130
131 3. New Mexico Wine Country Inc. will contract the commercial wineries, obtain all
132 necessary permits for submittal to the Town of Bernalillo and manage all aspects of winery

133 involvement in the festival. New Mexico Wine Country Inc. will also provide the Town all
134 information needed for the preparation of a Wine Festival brochure and other advertisements.
135 The parties agree that they New Mexico Wine Country Inc. will assign booth spaces according to
136 the festival layout prepared by the Town of Bernalillo and will provide the necessary
137 supplemental agreements for participation by the individual wineries.
138

139 4. The parties agree that the Town of Bernalillo will charge an entry fee of \$12.00
140 dollars per adult and \$5.00 for ages 13 through twenty for admission to the New Mexico Wine
141 Festival at Bernalillo. The entry fee is subject to change at future events. From these proceeds
142 New Mexico Wine Country Inc. and the Town of Bernalillo agree to dedicate one dollar (\$1.00)
143 of each admission for site improvements. In consideration for their participation in the festival,
144 The Town of Bernalillo will pay to New Mexico Wine Country Inc., fifteen percent (15%) of the
145 total admission.
146

147 5. The New Mexico Wine Festival will be held all three days of Labor Day
148 weekend. Admission gates will open at 12:00 Noon and close at 6:00pm. At the discretion of the
149 Executive Director, the gates may open as early as 11:45 on Saturday and Monday. Winery
150 tastings and sales by the glass will end at 6:00pm. Purchases of wine by the bottle/case will end
151 at 7:00pm, the official close of the event.
152

153 6. The parties agree to cooperate and sign all documents required to conduct this
154 festival to specifically include all necessary Certificates of Insurance.
155

156 Mayor Pro Tem Marian Jaramillo asked for a motion to approve the Memorandum of Agreement
157 with New Mexico Wine Country Inc.
158

159 Councilor Sisneros moved to approve the Memorandum of Agreement with New Mexico Wine
160 Country Inc. The motion was seconded by Councilor Montoya and the motion carried
161 unanimously.
162

163 **NEW BUSINESS: 8b) Discussion, Consideration and Action on Approval of the 300**
164 **Foot Rule for Wine Services at the New Mexico Wine Festival at Bernalillo, 2010. Presenter**
165 **Maria Rinaldi**

166 The Department of Planning and Capital Programs formally requests a waiver of the 300 Foot
167 Rule, pursuant to Chapter 223 of the Liquor Control Act Section, 60-6B-10, for the purpose of
168 hosting the 23rd Annual New Mexico Wine Festival to be held on the grounds of the Lorretto
169 Community Park on Labor Day weekend, September 4, 5, and 6, 2010.

170 The waiver request would allow the temporary service of wine within three hundred feet of Our
171 Lady of Sorrows Catholic Church, First Assembly of God Church, and PB&J Therapeutic
172 Preschool.

173 Within the limits set forth in Section 60-6B(G), a license may be granted for proposed issuance
174 if a waiver is obtained from the local option district governing body.
175 .

176 Mayor Pro Tem Marian Jaramillo asked for a motion to approve the 300 Foot Rule for Wine
177 Services at the New Mexico Wine Festival at Bernalillo 2010.

178
179 Councilor Sisneros moved to grant the 300 ft. Rule, pursuant to Chapter 223 of the Liquor
180 Control Act Section, 60-6B-10, for the purpose of hosting the New Mexico Wine Festival at
181 Bernalillo 2010 to be held on the grounds of the Lorretto Community Park on Labor Day
182 weekend September 4, 5, and 6, 2010. The motion was seconded by Councilor Montoya and
183 carried unanimously.

184
185 **NEW BUSINESS: 8c) Discussion, Consideration, and Action on Approval of**
186 **Resolution 07/26/10 Budget Adjustment for General Fund Fiscal Year 2009/2010.**
187 **Presenter: Juan Torres**
188

TOWN OF
BERNALILLO
RESOLUTION
07-26-10

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 26th day of July, 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
<u>GENERAL FUND</u>		
Fire	\$ 194,181.88	
Federal Revenue FEMA Grant		\$(134,000.00)
Community Development		\$(10,613.69)
Rescue Fund		\$(28,940.37)
Fire Fund		\$(20,627.82)
Parks	\$ 45,196.45	
State Revenue		\$(45,196.45)

Legislative Appropriation

Administration	\$ 231,487.33	
Executive		\$(16,296.00)
Judicial		\$(15,882.60)
Finance		\$(18,670.77)
Police		\$(23,336.17)
Library		\$(27,757.80)
Zoning		\$(44,038.40)
IT		\$(7,910.02)
Capital Projects		\$(18,094.32)
Human Resources		\$(6,381.60)
Community Development		\$(4,830.93)
Recreation		\$(32,577.29)
Election		\$(15,711.13)
TOTAL	\$ 470,865.66	\$(470,865.36)

189
190 Mayor Pro Tem Marian Jaramillo asked for a motion to approve the adoption of Resolution
191 07/26/10 Budget Adjustment for General Fund Fiscal Year 2009/1010.
192
193 Councilor Montoya made a motion to approve the adoption of Resolution 07/26/10 Budget
194 Adjustment for General Fund Fiscal Year 2009/1010. The motion was seconded by Councilor
195 Sisneros and the motion carried unanimously.

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198 **NEW BUSINESS: 8d) Discussion, Consideration, and Action on Approval of**
199 **Resolution 07/26/10A Budget Adjustment for Utility Fund Fiscal Year 2009/2010.**
200 **Presenter: Juan Torres**
201

TOWN OF BERNALILLO
RESOLUTION 7-26-10A

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 26th day of July, 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
<u>Enterprise FUND</u>		
Non-Departmental	\$62,906.26	
Water		\$(62,906.26)
Waste Water	\$ 61,568.50	
Water		\$(61,568.50)
TOTAL	\$124,474.76	\$(124,474.76)

202
203 Mayor Pro Tem Marian Jaramillo asked for a motion to approve the adoption of Resolution
204 07/26/10A Budget Adjustment for Utility Fund Fiscal Year 2009/1010.

205
206 Councilor Montoya made a motion to approve the adoption of Resolution 07/26/10A Budget
207 Adjustment for the Utility Fund Fiscal Year 2009/1010. The motion was seconded by Councilor

208 Sisneros and the motion carried unanimously.

209

210 **FINANCIAL SECTION:9a) Approval of Account Payable List.**

211 Mayor Pro Tem Marian Jaramillo asked for a motion to approve the accounts payable voucher
212 list in the amount of \$992,225.59.

213

214 Councilor Montoya made a motion to approve the accounts payable voucher list in the amount of
215 \$992,225.59. The motion was seconded by Councilor Prairie and the motion carried
216 unanimously.

217

218 **MISCELLANEOUS SECTION:10a) Public Comment**

219 None

220

221 There being no further business, the meeting was adjourned at 7:50P.M.

222

223 Done this 26th day of July 2010.

224

225 ATTEST:

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228 _____
229 Ida Fierro, Town Clerk
(seal)

Jack S. Torres, Mayor