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**MINUTES OF A REGULAR MEETING  
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO  
HELD AT THE TOWN HALL  
June 27, 2011**

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 27, 2011, at 6:30 P.M.

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

10 **PRESENT:**

11 Mayor Torres  
12 Councilor Montoya  
13 Councilor Sisneros  
14 Councilor Prairie (Teleconference)  
15 Councilor Jaramillo

**ALSO PRESENT:**

Mike Moloney      Jim Hooper  
Julian Gonzales      Margie Amiot  
Steve Amiot      Wayne Wormhood  
George Perez  
Maria Rinaldi

17 **ABSENT:**

**Others Present Not Identified**

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

19 Ida Fierro, Town Clerk asked for item 8 Personnel to be moved to the first item on the agenda so  
20 that Councilor Prairie could be available for discussion due to he was joining the meeting via  
21 teleconference. The other items will follow as indicated on the agenda.

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23 Councilor Jaramillo moved to approve the agenda as amended. The motion was seconded by  
24 Councilor Montoya and motion carried unanimously.

25  
26 **PERSONNEL: 5a) Reclassification and hire for Infrastructure**

27 **Administrator. Presenter Yolanda Mora**

28 Yolanda Mora stated that she is requesting the ratification of the hiring and the Reclassification  
29 of the position of the Infrastructure Administrator. The position will combine the Public Works  
30 Director and the Planning and Zoning Director. Antonio C de Baca is the individual for  
31 ratification as the Infrastructure Administrator for the Town of Bernalillo.

32  
33 Mayor Torres made a statement need for Public Works Infrastructure Administrator. Need Maria  
34 doing community development. Maria agrees and supports. P&Z Administrator not currently full  
35 time with newly defined position and state of economy. Clear connection between two positions  
36 and skill sets. We agreed to advertise and see what happened. If we go back to full time Planning  
37 & Zoning We cannot afford full time Public Works Dir. Maria would continue covering.  
38 Applicants were limited and we saw only one potentially qualified applicant. We interviewed and  
39 I am recommending hire. Rare background in both fields. Additional benefit is Bernalillo native.  
40 Resume beyond reproach. The utility department needs strong leadership. Maria has been doing  
41 a great job a person can only do so much for a long period of time.

42  
43 The Councilors asked if 40% of his time would be sufficient to cover the both positions.

44  
45 Maria stated that the job description was developed by her based on her experience in the  
46 position. The Mayor and Human Resources then worked together with Maria to develop the

47 position and job description. Maria stated that she felt that 40% of his time would sufficient  
48 there may be times that more time will be needed in the Water Department. This position will be  
49 a work in process and will require flexibility. This position was well thought out.

50

51 Councilor Prairie moved to approve the reclassification and hiring of Tawnya Mrtensen as the  
52 Zoning Administrator for the Town of Bernalillo Planning and Zoning Department. The motion  
53 was seconded by Councilor Sisneros and the motion carried unanimously.

54

55 **PERSONNEL: 5b) Field Supervisor (1). Presenter Yolanda Mora**

56 Yolanda Mora stated that she is requesting the ratification of the hiring of Randolph James  
57 Dominguez as Field Supervisor for the Town of Bernalillo Water Department.

58

59 Councilor Montoya moved to approve the hiring of Randolph James Dominguez as Field  
60 Supervisor for the Town of Bernalillo Water Department. The motion was seconded by  
61 Councilor Sisneros and the motion carried unanimously.

62

62 **PERSONNEL: 5c) Police Officer. Presenter Yolanda Mora**

63 Yolanda Mora stated that she is requesting the ratification of the hiring of Jocelyn Archuleta, as  
64 Police Officer for the Town of Bernalillo Police Department.

65

66 Councilor Montoya moved to approve the hiring of Jocelyn Archuleta, as Police Officer for the  
67 Town of Bernalillo Police Department. The motion was seconded by Councilor Sisneros and the  
68 motion carried unanimously.

69

70 **PERSONNEL: 5d) Utility Worker (2). Presenter Yolanda Mora**

71 Yolanda Mora stated that she is requesting the ratification of the hiring of Randy Vigil and Mark  
72 Lopez as Utility Workers for the Town of Bernalillo Water Department.

73

74 Councilor Montoya moved to approve the hiring of Randy Vigil and Mark Lopez as Utility  
75 Workers for the Town of Bernalillo Water Department. The motion was seconded by Councilor  
76 Sisneros and the motion carried unanimously

77

78 **PERSONNEL: 5e) Wastewater Utility Worker. Presenter Yolanda Mora**

79 Yolanda Mora stated that she is requesting the ratification of the hiring of Anthony Baca as  
80 Wastewater Utility Workers for the Town of Bernalillo Water Department.

81

82 Councilor Jaramillo moved to approve the hiring of Anthony Baca as Wastewater Utility  
83 Workers for the Town of Bernalillo Water Department. The motion was seconded by Councilor  
84 Montoya and the motion carried unanimously.

85

86 **PERSONNEL: 5f) Life Guard. Presenter Yolanda Mora**

87 Yolanda Mora stated that she is requesting the ratification of the hiring Jacob Trujillo as a Life

88 Guard for the Town of Bernalillo Recreation Department.

89

90 Councilor Sisneros moved to approve the hiring of Jacob Trujillo as a Life Guard for the Town  
91 of Bernalillo Recreation Department. The motion was seconded by Councilor Montoya and the  
92 motion carried unanimously.

93

94 **APPOINTMENT:6a) Criminal Justice Information System (CJIS)**

95 **Representative for NM Chief Julian Gonzales. Presenter Mayor Torres**

96 Chief Julian Gonzales has been appointed as the New Mexico Association of Chief of Police  
97 representative to Criminal Justice Information Services.

98

99 **PRESENTATION: 7a) I25 Project. Presenter Tony Abbo NMDOT Assistant**

100 **District Engineer**

101 Tony Abbo NMDOT Assistant District Engineer presented an update on the I25 project between  
102 exit 240 and 242.

103

104 **APPROVAL OF MINUTES: 8a) Regular Meeting of June 13, 2011**

105 Councilor Jaramillo moved to approve the minutes of May 13, 2011 as presented. The motion  
106 was seconded by Councilor Montoya and the motion carried unanimously.

107

108 **NEW BUSINESS: 9a) Discussion, Consideration, Action and Adoption of Resolution**

109 **06/27/11 Determining that the Building or the Structure at 492 Swan Loop, Within the**

110 **Town of Bernalillo, NM is so Ruined, Damaged, and Dilapidated as to be a Menace to the**

111 **Public Comfort, Health, Peace, or Safety and that it is to be Required to be removed.**

112 **Presenter: Wayne Wormhood**

113

114 **TOWN OF BERNALILLO, NEW MEXICO**

115 **Resolution No. 06/27/2011**

116

117 **A RESOLUTION OF THE GOVERNING BODY OF THE TOWN OF**  
118 **BERNALILLO**

119 **DETERMINING THAT THE BUILDING OR STRUCTURE AT 492 Swann**  
120 **Loop, WITHIN THE TOWN LIMITS OF BERNALILLO, NM IS SO RUINED,**  
121 **DAMAGED AND DILAPIDATED AS TO BE A MENACE TO THE PUBLIC**  
122 **COMFORT, HEALTH, PEACE, OR SAFTY AND THAT IT IS TO BE**  
123 **REQUIRED TO BE REMOVED.**

124

125 **WHEREAS**, the building, structure or premises is located at 492 Swann Loop, which is located and is more  
126 particularly described as: Lot 20, Block G, of Mountain View Estates, UPC #1 020 072 321 487, to the Town  
127 of Bernalillo, New Mexico; *and*

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**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 David Salazar, et al, 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 required and allowed by law. Section 1-18-5 F (3)

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

A brief discussion ensued. The Governing Body asked many questions of the property owner at 492 Swan Loop David Salazar. Mr. Salazar agreed to secure the property so that no one could have access to the property. Updated photos were shown to the Governing Body of the property it is not been properly secured. The Governing Body agreed to proceed with the Resolution due to the condition the property is a menace to the public and remove the structure.

Mayor Torres entertained a motion.

Councilor Sisneros moved the Adoption of Resolution 06/27/11 Determining that the Building or the Structure at 492 Swan Loop, Within the Town of Bernalillo, NM is so 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. The motion was seconded by Councilor Montoya.

172  
173 Roll Call  
174 Councilor Montoya Yea  
175 Councilor Sisneros Yea  
176 Councilor Jaramillo Nea

177  
178 And the motion carried by a 2 to 1 vote.  
179

180 **NEW BUSINESS: 9b) Discussion, Consideration and Action on Award of Professional**  
181 **Engineering/Architectural Design Retainer Services. Presenter: Maria Rinaldi**

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183 Twelve proposals for engineering and architecture were received. The proposal was evaluated by  
184 a committee made up of staff as well as professionals in the fields of engineering.  
185

186 It is the recommendation of the selection committee to enter into continuing service agreements  
187 for on-call professional services with the following firms per their attached proposed contracts:  
188

189 Engineering Professional Services:

- 190 • Huitt-Zollars
- 191 • Wilson & Company, Inc.
- 192 • Tierra West, LLC
- 193 • Molzen Corbin
- 194 • Smith Engineering
- 195 • Bohannon Houston

196  
197 The term of the agreement is for one year, renewable each year for three years, not to exceed a  
198 full term of four years. Additionally, the contracts are capped at \$200,000.00 in design services  
199 and \$2,000,000.00 in construction oversight for the term of the contract. When the Town is in the  
200 development phase of a project, a scope of work and a fee proposal can be solicited from one, or  
201 more of the firms on retainer and a selection can be made based upon such. The Town may also  
202 RFP for Professional Services outside of the retainer agreements at anytime, or secure design  
203 services from any qualified design professional for less than \$50,000. Upon approval, these  
204 retainer agreements will replace those currently in place for Huitt-Zollars, Wilson & Company,  
205 Tierra West, and Smith Engineering.

206  
207 Mayor Torres entertained a motion.  
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209 Councilor Jaramillo moved to approve the Award of Professional Engineering/Architectural  
210 Design Retainer Services. The motion was seconded by Councilor Sisneros and the motion  
211 carried unanimously.  
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**NEW BUSINESS: 9c) Discussion, Consideration and Action on Memorandum of Understanding with the City of Rio Rancho to provide an emergency interconnection and emergency interconnection and emergency water service between the Town's and the City's drinking water distribution system. Presenter: Maria Rinaldi**

**NEW BUSINESS: 9d) Discussion Redistricting new political districts for Congressional, Legislative and Public Regulation Commission Districts. Presenter: Mayor Torres**

Mayor Torres stated in the packet provided to the Governing Body was the Congressional Districts Redistricting Concept Descriptions. Information is also available on the web-site <http://www.nmlegis.gov/lcs/redcensus/>). The August 16 meeting in Rio Rancho is the meeting we all want to attend to gain information on the redistricting.

**FINANCIAL SECTION:10a) Approval of Accounts Payable Voucher List.**

Mayor Torres asked for a motion to approve the accounts payable voucher list in the amount of \$246,088.20.

Mayor Torres entertained a motion.

Councilor Jaramillo made a motion to approve the accounts payable voucher list in the amount of \$246,088.20. The motion was seconded by Councilor Montoya and the motion carried unanimously.

**MISCELLANEOUS SECTION:11a) Public Comment. Presenter: Mayor Torres**

Mayor Torres welcomed the Public to speak. There were no members of the public that wished to speak.

**MISCELLANEOUS SECTION:11b) NM Gas Lawsuit. Presenter: Mayor Torres**

Mayor Torres stated included in your packets is an update on the NM Gas Lawsuit. The attorneys for the NM Gas Company have entered their appearance and agreed to accept service of the amended complaint.

**MISCELLANEOUS SECTION:11c) Announcements. Presenter: Mayor Torres**

Mayor Torres congratulated the YCC Graduates.

There will be a 4<sup>th</sup> of July celebration at Rotary Park beginning at 2:00 p.m.

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There being no further business, Councilor Sisneros moved to adjourn the meeting at 8:16 P.M. The motion was seconded by Councilor Montoya and carried unanimously.

Done this 27th day of June 2011.

ATTEST:

\_\_\_\_\_  
Ida Fierro, Town Clerk  
(seal)

\_\_\_\_\_  
Jack Torres, Mayor