

1 **MINUTES OF A REGULAR MEETING**  
2 **OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**  
3 **HELD AT THE TOWN HALL**  
4 **April 09, 2012**  
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 April 09, 2012, at 6:30 P.M.  
8

9 Upon Roll call the following members were found to be present:  
10

11 **PRESENT:**

12 Mayor Torres  
13 Councilor Montoya  
14 Councilor Prairie  
15 Councilor Sisneros  
16  
17  
18

**ALSO PRESENT:**

George Perez James Pike  
Maria Rinaldi Julian Gonzales  
Jim Hooper Mike Moloney

19 **ABSENT:**

20 Councilor Jaramillo  
21

**Others Present Not Identified**

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

23 Councilor Montoya moved to approve the agenda as presented. The motion was seconded by  
24 Councilor Sisneros and the motion carried unanimously.  
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26

27 **PROCLAMATION: 5a) Fair Housing Month**  
28

29 **PROCLAMATION**  
30

31 **Whereas**, the National Fair Housing Law of 1968, as amended ,prohibits discrimination in  
32 housing and declares it a national policy to provide, within constitutional limits, for fair housing  
33 in the United States of America, and

34 **Whereas**, the principles of Fair Housing are not only national law and national policy, but a  
35 fundamental human concept and entitlement for all Americans, and

36 **Whereas**, the anniversary of the National Fair Housing Law, during the month of April, provides  
37 an opportunity for us as a Town to recognize that complete success in the goal of equal housing  
38 opportunity can only be accomplished with the help and cooperation of all residents of  
39 Bernalillo.

40 **Now therefore, I, Jack Torres, Mayor of the Town of Bernalillo, do hereby proclaim April,**  
41 **2012 as**

42 **FAIR HOUSING MONTH**

43 in the town of Bernalillo and do hereby urge all the citizens of this town to become aware of and  
44 support the Fair Housing Law.  
45

46 Councilor Montoya moved to approve the Fair Housing Proclamation as presented. The motion

47 was seconded by Councilor Sisneros and the motion carried unanimously.  
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49

50 **APPROVAL OF MINUTES: 6a) Regular Meeting of March 26, 2012**

51 Mayor Torres stated that on line 89 add “and the motion carried unanimously”, line 95 “verses  
52 should be versus, line 476 “office should be officer and on line 488 “the Town should be the  
53 Albuquerque Army Corp of Engineers.  
54

55 Councilor Prairie moved to approve the minutes of March 26, 2012 as amended. The motion was  
56 seconded by Councilor Montoya and the motion carried unanimously.  
57

58 **NEW BUSINESS: 7a) Discussion, Consideration and Action on Approval of**  
59 **Amendment to the Professional Service Agreement by and Between the Town of Bernalillo**  
60 **and Sandoval County Fire Department to Provide Ambulance Transportation Services.**  
61 **Presenter: Juan Torres and Michael Carroll**  
62

63 **AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT WITH BY AND**  
64 **BETWEEN THE TOWN OF BERNALILLO AND SANDOVAL COUNTY FIRE**  
65 **DEPARTMENT TO PROVIDE AMBULANCE TRANSPORT SERVICES**  
66  
67

68 THIS AMENDMENT, to the Professional Agreement (herein “Agreement). Entered into  
69 September 9, 2011, recorded in the Office of the Clerk as document #2011020641, between the  
70 Town of Bernalillo (Herein, Town) and Sandoval Count (herein “County”), a political  
71 subdivision of the State of New Mexico), is done this 9<sup>th</sup> day of April 2012. The Town and  
72 County agree as follows:  
73

74 WHEREAS, THE Agreement required the following amendment;  
75

76 THEREFORE. it is mutually agreed between the parties;  
77

78 **ARTICLE I- PROFESSIONAL SERVICE AGREEMENT**  
79

- 80 1.1. The Agreement consist of the following:  
81 1.1 (a) The original agreement; and  
82 1.1 (b) This amendment to the original agreement.  
83

84  
85 **ARTICLE 3- TERM**  
86

87 3.1 Agreement Term. The parties agree that the initial Agreement term shall be  
88 extended for an additional one (1) year period. This Amended Agreement shall become

89 effective on July 1, 2012 and terminate June 30, 2013. No extension or renewal of this  
90 Agreement shall extend the term beyond June 30, 2012.

91  
92 The rest and remaining terms of the Agreement shall remain in full force and effect.

93  
94 Mayor Torres entertained a motion.

95  
96 Councilor Sisneros moved to approve the Amendment to the Professional Services Agreement by  
97 and Between the Town of Bernalillo and Sandoval County Fire Department to Provide  
98 Ambulance Transport Services. The motion was seconded by Councilor Montoya and the  
99 motion carried unanimously.

100

101 **NEW BUSINESS: 7b) Discussion, Consideration and Action on Approval of**  
102 **Resolution 04/09/12 Transfer of the Town of Bernalillo Housing Authority. Presented:**  
103 **Maria Rinaldi**

104

## Town of Bernalillo

105

### RESOLUTION 4-09-12

106

#### Transfer of the Town of Bernalillo Housing Authority (NM35)

107

108

109 **Resolution 1-09-12 by the Town of Bernalillo, (TOB) authorized the execution of an**  
110 **agreement for the transfer of the TOB Housing Authority to the jurisdiction of the Santa**  
111 **Fe Civic Housing Authority (SFCHA); said resolution included the transfer of real and**  
112 **personal property of the TOBHA; subject to the approval of the United States Department**  
113 **of Housing and Urban Development (HUD).**

114

115

116 **WHEREAS**, the Town of Bernalillo, executed a Memorandum of Agreement on February 13,  
117 2012 recognizing the transition of the TOB Housing Authority, to the SFCHA an agency  
118 independent from the City and a 501 C-3, non-profit entity, and

119

120 **WHEREAS**, it was mutually agreed that the TOB through resolution will approve the transfer of  
121 ACC Contracts and will document recognition and approval of the SFCHA within its boundaries  
122 for the purpose of providing affordable housing, and

123

124 **WHEREAS**, The SFCHA Board of Commissioners, through Resolution 2011-024, approved the  
125 expansion of the SFCHA to include management of the TOB Housing Authority, and

126 **WHEREAS**, the transfer is contingent on the final approval by the United States Department of  
127 Housing and Urban Development.

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**NOW THEREFORE BE IT RESOLVED** by the Town of Bernalillo Authority Board of Commissioners (Bernalillo Town Council) that:

1. The TOB Housing Authority is hereby transferred to the jurisdiction of the SFCHA along with all real and personal and tangible property.
2. The SFCHA recognizes the need for financial and operational reports for the Town of Bernalillo and will operate the voucher and Public Housing Authority programs as separate entities known to HUD as “AMP’s” and make such reports readily available.
3. Development activities shall be conducted under SFCHA’s development entities with negotiated developer fees to be agreed upon based upon participation and risk undertaken.”
4. It is recognized by SFCHA and TOB that existing employees will be afforded first consideration for employment but will subject to the SFCHA interview process. Employees hired by the SFCHA will be allowed to retain sick and annual leave balances and will receive the same fringe benefits and cost of living increases as are afforded to SFCHA employees.
5. The effective date of this Resolution will be the date on which HUD approves the transition.
6. The Town of Bernalillo reserves the right to recover authority of NM035 at any point in the future should the Town determines that capacity exists for the Town to operate NM035 in compliance with all regulations set forth by HUD.

Mayor Torres entertained a motion.

Councilor Montoya made a motion to adopt Resolution 04/09/12 Transfer of the Town of Bernalillo Housing Authority. The motion was seconded by Councilor Sisneros and the motion carried unanimously.

**NEW BUSINESS:7c) Discussion, Consideration and Action on Memorandum of Understanding between the Town of Bernalillo and Sandoval County for the Sandoval County Vietnam Veterans Memorial. Presenter: Maria Rinaldi**

**MEMORANDUM OF AGREEMENT  
BETWEEN  
SANDOVAL COUNTY  
AND  
TOWN OF BERNALILLO**

This Memorandum of Agreement is entered into this 9th day of April 2012, between Sandoval County and the Town of Bernalillo.

169 Whereas, the Sandoval County Vietnam Veterans Memorial was dedicated on Veterans Day,  
170 November 11, 2006 commemorating residents who were killed in the war and honoring those who  
171 served and returned home; and

172  
173 Whereas, the Memorial was a public-private project spearheaded by a volunteer group of veterans  
174 who later formed the Sandoval County Vietnam Veterans Memorial Committee; and

175  
176 Whereas, the Memorial was constructed with funds allocated by the Sandoval County Commission  
177 and with funds raised by the Memorial Committee; and

178  
179 Whereas, the Memorial was constructed on Sandoval County property located at 711 Camino del  
180 Pueblo, on Bernalillo's Main Street; and

181  
182 Whereas, the Town of Bernalillo has been successful in reauthorizing a legislative appropriation in  
183 the amount of \$14,884.41 for the continued improvement of the Sandoval County Vietnam Veterans  
184 Memorial; and

185  
186 Whereas, the Town of Bernalillo desires to consult with the Sandoval County Vietnam Veterans  
187 Memorial Committee for the appropriate expenditure of these funds; and

188  
189 Whereas, the Town of Bernalillo will notify and obtain Sandoval County approval of the Memorial  
190 Committee's plans for improvements.

191  
192 Now, therefore, be it resolved that the Town of Bernalillo and Sandoval County agree that the Town  
193 of Bernalillo shall expend funds for improvements to the Memorial located on property owned by  
194 Sandoval County.

195  
196 In witness whereof, both the Town of Bernalillo and Sandoval County have caused this Agreement  
197 to be duly executed.

198  
199  
200 Mayor Torres entertained a motion.

201  
202 Councilor Prairie made a motion to approve the Memorandum of Understanding between the  
203 Town of Bernalillo and Sandoval County for the Sandoval County Vietnam Veterans Memorial.  
204 The motion was seconded by Councilor Montoya and the motion carried unanimously.

205  
206  
207 **EXECUTIVE SESSION: 8a) Pending Acquisition of Real Property 10-15-1H(8).**

208 A motion was made to go into executive session under section 10-15-1H(8) Pending Acquisition  
209 of Real Property 10-15-1H(8) .  
210

211 Councilor Montoya moved to go into executive session at 6:46 P.M. The motion was seconded  
212 by Councilor Sisneros and the motion carried unanimously.

213

214 Mayor Torres stated that no action was taken in executive session.

215

216 Councilor Prairie moved to go back into regular session at 7:18 P.M. The motion was seconded  
217 by Councilor Sisneros and carried unanimously.

218

219 **FINANCIAL SECTION:9a) Approval of Accounts Payable Voucher List.**

220 Mayor Torres asked for a motion to approve the accounts payable voucher list in the amount of  
221 \$430,723.37.

222

223 Councilor Montoya made a motion to approve the accounts payable voucher list in the amount of  
224 \$430,723.37. The motion was seconded by Councilor Prairie and the motion carried  
225 unanimously.

226

227 **MISCELLANEOUS SECTION: 10a) Public Comment. Presenter: Mayor Torres**

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

230

231 **MISCELLANEOUS SECTION:10b) Announcements. Presenter: Mayor Torres**

232 Mayor Torres announced the following:

233

234 Opening Day for Coronado Little League is April 14, 2012 @ 10:00 and invitation has been  
235 extended by Andy Darnell from Coronado Little League to all the Governing Body Members

236

237 Maria Rinaldi stated that the Town will be participating in the Great American Clean Up on  
238 April 28, 2012 and urge to form team in your neighborhoods.

239

240 Mayor Torres thanked Councilor Prairie for attending the New Mexico Municipal League  
241 District 8 Conference on March 27, 2012 at Town Hall.

242

243 Mayor Torres thanked Councilor Prairie for attending the Easter Egg Hunt at Rotary Park.  
244 Councilor Prairie stated that it was well attended.

245

246 Mayor Torres stated that James Lyle the attorney representing the Town in the class action suit  
247 against the Gas Company of New Mexico informed Mayor Torres that the suit is moving  
248 forward. Discovery is now taking place. The trial will be held in Sandoval County.

249

250 There being no further business, Councilor Montoya moved to adjourn the meeting at  
251 7:24 P.M. The motion was seconded by Councilor Sisneros and carried unanimously.

252

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April 12, 2012  
Page 7

253 Done this 9th day of April 2012.

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255

256 ATTEST:

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258 \_\_\_\_\_  
Ida Fierro, Town Clerk

259 (seal)

\_\_\_\_\_  
Jack S. Torres, Mayor