

1 **MINUTES OF A REGULAR MEETING**
2 **OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**
3 **HELD AT THE TOWN HALL**
4 **January 27, 2014**
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 January 27, 2014, at 6:30 P.M.
8

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

10
11 **PRESENT:**

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

ALSO PRESENT:

Margaret Meister Steve Amiot
Maria Rinaldi Margie Amiot
Carolyn Kennedy Lynn Montgomery
Dave Bervin Robert Stroupe

18
19 **ABSENT:**

Others Present Not Identified

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21
22 **APPROVAL OF AGENDA: 4a)**

23 Ida Fierro Town Clerk request that the end of month financial for the Month of December be
24 added as 10b under Miscellaneous Items and moving Announcements to 10c.
25

26 Councilor Prairie moved to approve the agenda as amended. The motion was seconded by
27 Councilor Montoya and the motion carried unanimously.
28

29 **PUBLIC HEARING: 5a) Discussion, Consideration and Action on Approval of**
30 **Proposed Issuance by the Alcohol and Gaming Division of the State of New Mexico**
31 **Transfer of Ownership and Location of Liquor License with Package Sales to CST**
32 **Shamrock Stations, Inc. DBA Corner Store #1217. Presenter-Ida Fierro**
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34 Ida Fierro stated that this was a request for a transfer of ownership and location for a Liquor
35 License with Package Sales to CST Shamrock Stations Inc. DBA Corner Station #1217 located at
36 385 W US HWY 550.
37

38 As stated in the letter attached to the application the request and approval reads as follows;
39

40 The applicant is requesting a Transfer of Ownership & location of a Liquor License with Package
41 Sales:
42

43 The governing body may disapprove the issuance of transfer of the license if:
44

45 The proposed location is within an area where the sale of alcoholic beverages is prohibited by the
46 laws of New Mexico. (The governing body may disapprove if the proposed location is within 300

47 feet of a church or school unless the license has been located at this location prior to 1981 or
48 unless the applicant/licensee has obtained a waiver from the local option district governing body
49
50 for the proposed licensed premises.)

51
52 The issuance or transfer would be in violation of a zoning or other ordinance of the governing
53 body. The governing body may disapprove if the proposed location is not properly zoned.
54 Because this office is in receipt of a zoning statement from the governing body, this is not a basis
55 for disapproval.

56
57 The issuance would be detrimental to the public health, safety or morals of the residents of the
58 local option district. Disapproval by the governing body on public health, safety or morals must
59 be based on and supported by substantial evidence pertaining to the specific prospective
60 transferee or location and a copy of the record must be submitted to the Alcohol and Gaming
61 Division.

62
63 Mayor Torres swore in those for or against the transfer of ownership and location of the liquor
64 license.

65
66 Margaret Lewis Meister Lawyer and Robert Strouph Zone Manager are present for CST
67 Shamrock Stations, Inc DBA Corner Store #1217.

68
69 Councilor Sisneros can the Governing Body base their decision on any one of the three requests
70 on the liquor license.

71
72 Chris Perez Town Attorney stated yes.

73
74 Mayor Torres stated the further that liquor license is from the Bernalillo High School the better.

75
76 Councilor Jaramillo state there is other liquor establishment in that area which are Kelly Liquors
77 and Giant Gas Station.

78
79 Councilor Montoya stated his concern was the number of liquor establishment in the Town of
80 Bernalillo. One thought is to build a relationship with these establishments to communicate to
81 them the importance of selling to underage individuals or individual that should not be buying
82 alcohol. Policing the area to make sure these individual are not purchasing alcohol and working
83 with the Town of Bernalillo Police Department.

84
85 Robert Strouph stated the Corner Store will be proactive in becoming part of the community. As
86 far as the concerns with the alcohol the Corner Store has spent a lot of money on purchasing the
87 liquor license and will do the right thing in making sure that someone under age does not

88 purchase alcohol.

89 Councilor Montoya stated that underage drinking is his biggest concern and is in agreement with
90 Mayor Torres that the further away this establishment gets from the Bernalillo High School the
91 better. A big business like this is a plus to the community.

92

93 Robert Strouph stated selling liquor is just a piece of the Corner Store it is a 4,600 sq. ft.
94 convenience store, a mini truck stop with a high flow diesel island to service diesel trucks, a deli
95 and a variety of snacks.

96

97 Councilor Jaramillo ask how far the Corner Store would be from the school.

98

99 Ida Fierro stated that the Corner Store would be 538.5 ft. from the First Assembly of God and
100 1520.8 ft. from Bernalillo Middle School.

101

102 Mayor Torres stated he was in agreement with the suggestion Councilor Montoya and it is
103 incumbent on the Governing Body to be proactive and have the Bernalillo Police Department
104 visit these establishments with the importance stressed on under age individual not being allowed
105 to purchase alcohol.

106

107 Mayor Torres asked were there were any members in the public that wish to speak for or against
108 the liquor license for the Corner Store.

109

110 There were none.

111

112 Mayor Torres entertained a motion

113

114 Councilor Montoya made a motion to approve the transfer of ownership and location of liquor
115 license #0597 with package sales to CST Shamrock Station, Inc. DBA Corner Store 3 1217.

116 The motion was seconded by Councilor Montoya.

117

118 Roll Call Vote

119 Councilor Montoya Yea

120 Councilor Sisneros Nea

121 Councilor Jaramillo Yea

122 Councilor Prairie Nea

123

124

125 Ida Fierro stated that in the event of a tie Mayor Torres you are the deciding vote.

126

127 Mayor Torres voted Yea.

128

129 Therefore, the application is approved.

130

131 **APPROVAL OF MINUTES: 6a) Regular Meeting of January 13, 2014**

132 Councilor Sisneros moved to approve the minutes of January 13, 2014 as presented. The motion
133 was seconded by Councilor Jaramillo and the motion carried unanimously.

134

135 **PERSONNEL: 7a) Waste Water Operator. Presenter Yolanda Mora**

136 Yolanda Mora stated that it was the recommendation of the selection committee to hire Steven
137 Peters as a Waste Water Operator for the Town of Bernalillo Waste Water Department.

138

139 Councilor Montoya moved to approve the hiring of Steven Peters as a Waste Water Operator for
140 the Town of Bernalillo Waste Water Department. The motion was seconded by Councilor
141 Jaramillo and the motion carried unanimously.

142

143 **NEW BUSINESS: 8a) Discussion Consideration and Action and Approval of**
144 **Cooperative Funding Agreement for the Middle Rio Grande Stormwater Quality Team.**
145 **Presenter: Maria Rinaldi**

146

Middle Rio Grande Quality Team

147

Annual Member

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Cooperative Funding Agreement

149 This Cooperative Funding Agreement is made and entered into this 27th day of January, 2014, by and
150 among the County of Bernalillo, the City of Albuquerque (“COA”), the Albuquerque Metropolitan
151 Arroyo Flood Control Authority (“AMAFCA”), the New Mexico Department of Transportation
152 (“NMDOT”), and the Southern Sandoval County Arroyo Flood Control Authority (“SSCAFCA”), all
153 political subdivisions of the State of New Mexico (hereinafter collectively referred to as the “Storm
154 Water Team”), and Town of Bernalillo (hereinafter referred to as “Annual Member”).

155 **WHEREAS**, the Intergovernmental Agreement Regarding the Operation, Function, and
156 Funding of the Storm Water Team, as amended by the First Amendment thereto dated October 30,
157 2013 (“Intergovernmental Agreement”), provides that potentially eligible MS4s may be added to the
158 Team at any time on an annual basis as additional voting members, provided all requirements for
159 membership have been fulfilled, including providing payment for the expected contribution; and

160 **WHEREAS**, the Storm Water Team wishes to add the Annual Member as an additional
161 voting member to the Team on an annual basis; and

162 **WHEREAS**, the Annual Member wishes to be added to the Team as an additional voting

163 member on an annual basis; and

164 **WHEREAS**, the Annual Member agrees to fulfill all requirements for membership,
165 including providing payment for its expected annual contribution; and

166 **NOW, THEREFORE**, in consideration of the covenants and promises set forth herein, the
167 Annual Member agrees as follows:

168 1. The Annual Member will be invoiced by the Storm Water Team for its annual
169 contribution for Fiscal Year 2014 as tabulated below. The Annual Member agrees to pay the annual
170 contribution to the Storm Water Team's fiscal agent within forty-five (45) days of the date of
171 invoice. Failure to provide payment prior to the deadline will result in the Annual Member's
172 membership being suspended as provided for in the Intergovernmental Agreement.

173 2. Upon payment of the annual contribution and fulfillment of any other requirements of
174 membership, the Storm Water Team will update Attachment A, Contribution Schedule, and
175 Attachment B, Annual Roster, to include the Annual Member.

176 3. The Annual Member agrees that by executing this Agreement it is subject to the
177 requirements of the Intergovernmental Agreement as it may be amended from time to time, which is
178 hereby incorporated by reference as if fully set forth herein. The Annual Member agrees to abide by
179 the terms and conditions of the Intergovernmental Agreement as it may be amended from time to
180 time.

181 4. This Agreement, including Annual Member's membership on the Team, shall be
182 effective for the 2014 fiscal year. This Agreement may be extended beyond the initial fiscal year for
183 additional one (1) year periods running concurrently with the fiscal year. Any extension must be
184 completed in writing at the initiative of and authorization of AMAFCA, as the fiscal agent of the
185 Storm Water Team, with concurrence of the Annual Member. All extensions are subject to the terms
186 set forth herein, provided however, that the annual contribution for any subsequent years shall be
187 established by the Storm Water Team in the Contribution Schedule, which shall be incorporated fully
188 as if set forth herein.

189 5. The Annual Member's contact, designated voting member, and billing information is
190 as follows:

191

Annual Member Entity:	Town of Bernalillo
Designated Voting Member:	Maria G. Rinaldi PO Box 638, Bernalillo, NM 87004 505-771-7133 mrinaldi@townofbernalillo.org
Billing Instructions:	Invoice to: Town of Bernalillo Accounts Payable PO Box 638, Bernalillo, NM 87004
Expected Contribution:	\$5,000.00

192

193 The Annual Member agrees to immediately notify the Storm Water Team and its fiscal
194 agent in the event of any changes to the information listed herein. Date: January 27, 2013

195 Mayor Torres entertained a motion

196

197 Councilor Montoya made a motion to approve the Cooperative Funding Agreement for Middle
198 Rio Grande Stormwater Quality Team in the amount of \$5,000. The motion was seconded by
199 Councilor Sisneros and the motion carried unanimously.

200

201 **NEW BUSINESS: 8a) Discussion Consideration and Action on Adoption of**
202 **Resolution 01/27/14 Sandoval County Hazard Mitigation Plan. Presenter: Maria Rinaldi**

203

204

Resolution 1-27-2014

205

Sandoval County Hazard Mitigation Plan

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207 **WHEARAS**, all of Sandoval County is vulnerable to natural hazards such as flash floods,
208 Wildfire, and drought as well as human caused hazards that can result in property loss, loss of
209 life, economic hardship, and threats of public health and safety; and

210

211 **WHEREAS**, the initial Hazard Mitigation Plan was approved by FEMA on August 31,
212 2005; and

213

214 **WHEREAS**, A Hazard Mitigation Plan for Sandoval County has been developed by
Sandoval County Emergency Management staff in coordination with elected and appointed

215 officials of Sandoval County; and

216

217 **WHEREAS**, the Plan recommends mitigation activities that will reduce loss of human
218 life and property affected by the natural and human caused hazards that often face the County;
219 and

220

221 **WHEREAS**, a series of public and Planning Team meetings were held to develop and
222 review the Plan to the specifications set forth by the New Mexico Department of Homeland
223 Security and Emergency Management (NMDHSEM) and the Federal Emergency Management
224 Agency (FEMA); and

225

226 **WHEREAS**, the Town of Bernalillo did participate in the development and review of the
227 Plan and finds it applicable to our efforts.

228

229 **NOW, THEREFORE, BE IT RESOLVED BY THE** governing Body of the Town of
230 Bernalillo that it hereby adopt, in accordance with all local, state and federal requirements, the
231 Hazard Mitigation Plan for Sandoval County this twenty-seventh day of January, 2014.

232

233 Mayor Torres entertained a motion.

234

235 Councilor Jaramillo made a motion to approve the adoption of Resolution 1/27/14 Sandoval
236 County Hazard Mitigation Plan. The motion was seconded by Councilor Montoya and the
237 motion carried unanimously.

238

239 **NEW BUSINESS: 8c) Discussion Consideration and Action on Adoption of**
240 **Resolution 01/27/14A In support of Making an Appropriation to Provide Military Honors**
241 **at the Funerals of Resident Veterans. Presenter: Mayor Torres**

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244

Resolution No. 01-27-14A

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247

A Resolution in Support of 248 Making an Appropriation to Provide for Military Honors at the Funerals of 249 Resident Veterans

250

251 **WHEREAS**, the Town of Bernalillo Governing Body is in support to provide Military Funeral
252 Honors to our fallen comrades: veterans, retirees, and current Soldiers;

253 **WHEREAS**, and provide the best possible service to honor the deceased, and provide a lasting
254 experience for the family in their time of grief

255 **THEREFORE, BE IT RESOLVED**, the Governing Body of the Town of Bernalillo supports
256 an Act relating to Veterans' Services; making an appropriation to provide for military honors at
257 the funerals of resident veterans.

258 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

259
260 **SECTION 1. APPROPRIATION.**--One hundred twenty-five thousand dollars (\$125,000) is
261 appropriated from the general fund to the veterans' services department for expenditure in fiscal
262 year 2015 to provide military honors at the funerals of
263 resident veterans. Any unexpended or unencumbered balance remaining at the end of fiscal year
264 2015 shall revert to the general fund. The Governing Body of the Town of Bernalillo formally
265 endorses the efforts to obtain funding from the General Fund and encourages it resident to
266 support this effort.

267
268
269 **PASSED, ADOPTED AND SIGNED** this 27th day of January, 2014.

270 Mayor Torres entertained a motion.

271
272 Councilor Jaramillo made a motion to approve the adoption of Resolution 1/27/14A in Support
273 of Making an Appropriation to Provide for Military Honors at the Funerals of Resident Veterans.
274 The motion was seconded by Councilor Prairie and the motion carried unanimously.

275
276 **NEW BUSINESS: 8d) Discussion Consideration and Action of Appointment of**
277 **Precinct Board Members. Presenter: Ida Fierro**

278
279 Town of Bernalillo
280 Town Hall
281 829 Camino Del Pueblo
282 Bernalillo, NM 87004
283 Precinct Board Members for Consolidated Precincts 1& 3 and portions of Precincts 2,4,50 and 74
284 For Municipal Election to be Held on
285 Tuesday, March 4, 2014

286
287 John Rinaldi Presiding Judge

288
289 Julia Marquez Judge/Clerk
290 Liceth Rodriguez Clerk

291
292 For Either Voting Convenience Sites

293 Alternates
294 Jeana Gonzales
295 Daniella Threadgill

Judge/Clerk
Clerk

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Town of Bernalillo
Alegria Community Center
901 Cottonwood Center
Bernalillo, NM 87004

Precinct Board Members for Consolidated Precincts 1& 3 and portions of Precincts 2,4,50 and 74
For Municipal Election to be Held on
Tuesday, March 4, 2014

308 William Kiely

Presiding Judge

309
310 Leigh Armstrong
311 Denise Holland
312 Nancy Lampier

Judge/Clerk
Clerk
Clerk

313
314 Mayor Torres entertained a motion.

315
316 Councilor Sisneros approved the appointments of the Precinct Board Members for both Voting
317 Convenience Centers. The motion was seconded by Councilor Sisneros and the motion carried
318 unanimously.

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320 **NEW BUSINESS: 8d) Discussion Consideration and Action on Approval and**
321 **Adoption of Resolution 1/27/14B Budget Amendment for the General Fund to Support a**
322 **Position Upgrade. Presenter: Mayor Torres**

Town of Bernalillo
Resolution 01/27/14B

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 13th day of January, 2014 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to a position upgrade

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

GENERAL FUND:
Expenditures:

Planning and Zoning

Account Number	Description	Revised Budget	Decrease	Increase	Adjusted Budget
140-5001-2-1	Personnel Services	87,698.00		4,534.50	92,232.50
140-50005-2-1	Personnel Benefits	48,504.00		1,437.00	49,941.00
Net Effect Increase/(Decrease)			\$	5,971.50	

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Mayor Torres stated the purpose for the budget adjustment is due to the Planning and Zoning Administrator position to be upgraded to a Planning and Zoning Director. Due to the increased work load and new businesses that are coming in to Bernalillo. Janet Cunningham-Stephens is currently the Administrator for Planning and Zoning. Janet has extensive experience in Planning and Zoning and is capable of directing the department.

A brief discussion ensued the Governing Body asked if this position was enough for the department to handle the work load and would they be seeing an increase in staffing at a later date for Planning and Zoning.

Mayor Torres stated that at this time this there would be no increase in staffing for that department.

Mayor Torres entertained a motion.

Councilor Montoya made a motion to approve the adoption of Resolution 1/27/14B Budget Adjustment for the General Fund to support a Position Upgrade. The motion was seconded by Councilor Jaramillo and the motion carried unanimously.

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

Mayor Torres asked for a motion to approve the accounts payable voucher list in the amount of \$199,331.73.

Councilor Jaramillo made a motion to approve the accounts payable voucher list in the amount of \$199,331.73. The motion was seconded by Councilor Prairie and the motion carried unanimously.

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MISCELLANEOUS SECTION:10a) Public Comment.

None.

MISCELLANEOUS SECTION: 10b) End of Month Financials. Presenter: Juan Torres

Juan Torres presented a General Fund Summary Report to the Governing Body. The expense summary report has current budget, current period, YTD actual, YTD encumbrance, budget balance, and percent of budget. There is also a Revenue Summary with the same information. The report will assist the Governing Body with the information on each department's financial status. The report will be given to the Governing Body monthly for all funds.

MISCELLANEOUS SECTION: 10c) Announcements. Presenter: Mayor Torres

Mayor Torres made the following announcements;

Mayor Torres stated the old Rio Laundry Owner has cleaned up the graffiti in front of the building and it looks much nicer. The new owner is currently working to update the laundry and open a new laundry at that location.

Mayor Torres stated that the Job Posting for the New Police Chief has been posted on our web site and placed in the job posting in the Albuquerque Journal.

Mayor Torres stated he has a meeting with NMDOT District Engineer to discuss the issues with the project on 550. They are going to drive out to 550 and Mayor Torres will show all the concerns with the project on 550.

There being no further business, Councilor Montoya moved to adjourn the meeting at 7:14 P.M. The motion was seconded by Councilor Sisneros and carried unanimously.

Done this 27th day of January 2014.

ATTEST:

Ida Fierro, Town Clerk
(seal)

Jack S. Torres, Mayor