

1 **MINUTES OF A REGULAR MEETING**
2 **OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO**
3 **HELD AT THE TOWN HALL**
4 **August 11, 2015**

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 August 11, 2015, at 6:30 P.M.

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

10 **PRESENT:**
11 Councilor Dominguez
12 Councilor Sisneros
13 Councilor Jaramillo
14 Councilor Prairie
15 Mayor Torres

ALSO PRESENT:
James Pike
Troy Martinez

16
17
18 **ABSENT:**

Others Present Not Identified

19
20
21 **APPROVAL OF AGENDA: 4a)**

22 Councilor Jaramillo moved to approve the agenda as presented. The motion was seconded by
23 Councilor Dominguez and the motion carried unanimously.
24

25 **APPOINTMENTS: 5a) Library Board**

26 Mayor Torres made the recommendation to appoint Donna Marie Mondragon to the Library
27 Board for a Two Year Term to begin August 2015.
28

29 Councilor Sisneros moved to approve the appointment of Donna Marie Mondragon to the
30 Library Board. The motion was seconded by Councilor Prairie and the motion carried
31 unanimously.
32

33 **PUBLIC HEARING: 6a) Discussion, Consideration, Action and Adoption of**
34 **Ordinance #289 An Ordinance Amending the Sewage Rates Ordinance of the Town of**
35 **Bernalillo, New Mexico Ordinance Nos. 66, 152, 163, 169, 186, and 210. Presenter: Andy**
36 **Edmondson**

37 STATE OF NEW MEXICO
38 TOWN OF BERNALILLO

39
40 ORDINANCE 289

41
42 AN ORDINANCE AMENDING THE SEWAGE RATE
43 ORDINANCE OF THE TOWN OF BERNALILLO, NEW MEXICO.
44 ORDINANCE NOS. 66, 152,163,169, 186, AND 210.

45
46 BE IT ORDAINED BY THE GOVERNING BODY OF THE

47 TOWN OF BERNALILLO, A MUNICIPAL CORPORATION. THAT:
48

49 **ARTICLE ONE**
50

51 The SEWAGE RATE ORDINANCE OF THE TOWN OF BERNALILLO, NEW MEXICO,
52 ORDINANCE NOS. 66, 152,163,169, 186, AND 210 are hereby amended by this ordinance,
53 which shall be incorporated therein.
54

55 **ARTICLE TWO**
56

57 Ordinance No. 66, Article Two, Section One, entitled "MONTHLY SEWAGE RATES", is
58 hereby repealed in its entirety, and the following Section shall replace the repealed Section.
59

60 **SECTION ONE - MONTHLY SEWAGE RATES:**
61

62 Base Rates include the First Two Thousand (2,000) Gallons per Month
63

64 Residential Base Rate: (Inside Town Limits) **\$28.00**

65 Residential Base Rate: (Outside Town Limits) **\$56.00**

66 Each additional one thousand (1000) gallons or portions thereof, will be assessed as follows:
67

68 Gallons

69 0-1,999 \$4.00

70 2,000 – 5,999 \$4.15

71 6,000 – 7,999 \$4.50

72 8,000 and up \$5.00
73

74 Commercial Base Rate: (Inside Town Limits) **\$60.00**

75 Commercial Base Rate: (Outside Town Limits) **\$120.00**

76 Each additional one thousand (1000) gallons or portions thereof will be assessed at \$5.00 per
77 thousand (1000) gallons.
78

79 **ARTICLE THREE**
80

81 Severability:
82

83 If any section, paragraph, clause or provision of this ordinance shall, for any reason be held to be
84 invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or
85 provision shall not affect any of the remaining provisions of this ordinance.
86

87 PASSED, ADOPTED AND SIGNED THIS 11TH DAY OF AUGUST, 2015.

88
89 Effective Date for Ordinance#289 November 2015 Billing Cycle.
90
91 Mayor Torres asked in anyone would like to speak for or against Ordinance #289,
92
93 There was no one wishing to speak for or against Ordinance #289.
94
95 Mayor Torres entertained a motion.
96
97 Councilor Jaramillo moved to adopt Ordinance #289 An Ordinance Amending the Sewage Rates
98 Ordinance of the Town of Bernalillo, New Mexico Ordinance Nos. 66, 152, 163, 169, 186, and
99 210. The motion was seconded by Councilor Prairie.

100
101 Roll Call Vote

102
103 Councilor Sisneros Yea
104 Councilor Jaramillo Yea
105 Councilor Dominguez Yea
106 Councilor Prairie Yea
107

108 **PUBLIC HEARING: 6b) Discussion, Consideration, Action and Adoption of**
109 **Ordinance #290 An Ordinance Amending the Water Use and Water Rates Ordinance of**
110 **the Town of Bernalillo, New Mexico Ordinance Nos. 81, 153, 164, 170, 187, and 212.**
111 **Presenter: Andy Edmondson**

112
113 STATE OF NEW MEXICO
114 TOWN OF BERNALILLO

115
116 ORDINANCE 290

117
118 AN ORDINANCE AMENDING THE WATER USE AND WATE RATE
119 ORDINANCE OF THE TOWN OF BERNALILLO, NEW MEXICO.
120 ORDINANCE NOS. 81, 153,164,170, 187, AND 212.

121
122 BE IT ORDAINED BY THE GOVERNING BODY OF THE
123 TOWN OF BERNALILLO, A MUNICIPAL CORPORATION. THAT:

124
125 **ARTICLE ONE**

126
127 The WATER USE AND WATER RATE ORDINANCE OF THE TOWN OF BERNALILLO,
128 NEW MEXICO, ORDINANCE NOS. 81, 153, 164, 170, 187 AND 212 are hereby amended by

129 this ordinance, which shall be incorporated therein.

130

131 **ARTICLE TWO**

132

133 Ordinance No.81, Article three, Section One, Subsection A, entitled "RESIDENTIAL AND
134 COMMERCIAL CATIGORIES", is hereby repealed in its entirety, and the following Subsection
135 shall replace the repealed Subsection.

136

137 **A. RESIDENTIAL AND COMMERCIAL CATIGORIES:**

138

139 Base Rates include the First Two Thousand (2,000) Gallons per Month

140

141 Residential Base Rate: (Inside Town Limits) **\$23.50**

142 Residential Base Rate: (Outside Town Limits) **\$47.00**

143 Each additional one thousand (1000) gallons or portions thereof, will be assessed as follows:

144

145 Gallons		Gallons	
146 0-3,999	\$2.00	10,000 - 19,999	\$3.65
147 4,000 – 5,999	\$2.45	20,000 - 39,999	\$4.35
148 6,000 – 7,999	\$2.80	40,000 and up	\$5.00
149 8,000 – 9,999	\$3.15		

150

151 Commercial Base Rate: (Inside Town Limits) **\$60.00**

152 Commercial Base Rate: (Outside Town Limits) **\$120.00**

153 Each additional one thousand (1000) gallons or portions thereof will be assessed at \$5.00 per
154 thousand (1000) gallons.

155

156 **ARTICLE THREE**

157

158 Severability:

159

160 If any section, paragraph, clause or provision of this ordinance shall, for any reason be held to be
161 invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or
162 provision shall not affect any of the remaining provisions of this ordinance.

163

164 PASSED, ADOPTED AND SIGNED THIS 11TH DAY OF AUGUST, 2015.

165

166 Effective Date for Ordinance #290 November 2015 Billing Cycle.

167

168 Mayor Torres asked in anyone would like to speak for or against Ordinance #290.

169

170 There was no one wishing to speak for or against Ordinance #290.

171

172 Mayor Torres entertained a motion.

173

174 Councilor Sisneros moved to adopt Ordinance #290 An Ordinance Amending the Water Use and
175 Water Rates Ordinance of the Town of Bernalillo, New Mexico Ordinance Nos. 81, 153, 164,
176 170, 187, and 212. The motion was seconded by Councilor Dominguez.

177

178 Roll Call Vote

179

180 Councilor Dominguez Yea

181 Councilor Prairie Yea

182 Councilor Jaramillo Yea

183 Councilor Sisneros Yea

184

185 **APPROVAL OF MINUTES:7a) Regular Meeting of July 27, 2015**

186 Mayor Torres stated that on line 40 and 50” Hopper should be Hooper.”

187

188 Councilor Jaramillo moved to approve the minutes of July 27, 2015 as amended. The motion was
189 seconded by Councilor Dominguez and the motion carried unanimously.

190

191 **PERSONNEL:8a) MVD Clerk. Presenter: Troy Martinez**

192 Troy Martinez stated that it was the recommendation of the hiring committee to hire Renee
193 Montoya as the MVD Clerk for the Town of Bernalillo Motor Vehicle Department.

194

195 Mayor Torres entertained a motion.

196

197 Councilor Dominguez moved to approve the hiring of Renee Montoya as the MVD Clerk for the
198 Town of Bernalillo Motor Vehicle Department. The motion was seconded by Councilor
199 Jaramillo and the motion carried unanimously.

200

201 **NEW BUSINESS:9a) Discussion, Consideration, Action and Adoption of Resolution**
202 **08/11/15 Quarterly Final Report Year Ending June 30, 2015. Presenter: Juan Torres**

203

204

STATE OF NEW MEXICO

205

TOWN OF BERNALILLO

206

RESOLUTION NO. 08-11-2015

207

208

2015 FINAL QUARTER FINANCIAL REPORT

209

YEAR ENDING JUNE 30, 2015

210

211 **WHEREAS**, the Governing Board in and for the Town of Bernalillo, State of New Mexico has
212 developed a budget for fiscal year 2014 – 2015; and
213

214 **WHEREAS**, the final quarterly report has been reviewed and approved to ensure the accuracy of
215 the beginning balances used on the FY 2016 budget; and
216

217 **WHEREAS**, it is hereby certified that the contents in this report are true and correct to the best of
218 our knowledge and that this report depicts all funds for fiscal year 2015
219

220 **NOW THEREFORE, BE IT HEREBY RESOLVED** that the governing body of the Town of
221 Bernalillo, State of New Mexico hereby approves the final quarterly report for FY
222 2015 hereinafter described as Attachment “A” and respectfully requests approval
223 from the Local Government Division of the Department of Finance and
224 Administration.
225

226 Resolved: In the Regular Board Session this 11th day of *August, 2015*.
227

228 Mayor Torres entertained a motion.
229

230 Councilor Prairie made a motion to adopt Resolution 08/11/15 Quarterly Final Report Year
231 Ending June 30, 2015. The motion was seconded by Councilor Sisneros and the motion carried
232 unanimously.
233

234
235 **NEW BUSINESS:9b) Discussion, Consideration, Action and Adoption of Resolution**
236 **08/11/15A Budget Adjustment for the General Fund. Presenter: Juan Torres**
237

TOWN OF BERNALILLO
RESOLUTION NO. 08-11-15A

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 11th day of August 2015 at
the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to YTD actual

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

GENERAL FUND:
Revenue:

	Current Budget	Decrease	Increase	Adjusted Budget
General Fund	7,841,097.86	(105,610.16)	-	7,735,487.70
Net Effect Increase/(Decrease)		\$ (105,610.16)		

Expenditures:

Department	Current Budget	Decrease	Increase	Adjusted Budget
Executive	105,217	-	2,887.79	108,104.79
Judicial	123,559	(13,826.00)	-	109,733.00
Finance	270,416	(5,312.80)	-	265,103.46
Fire Dept.	696,509	(50,602.77)	-	645,906.23
Police	2,581,109	-	18,952.60	2,600,061.46
Recreation	295,290	-	5,073.85	300,363.85
Parks	294,770	(1,010.51)	-	293,759.49
Library	346,027	(149,287.72)	-	196,739.28
P & Z	213,438	(7,934.71)	-	205,503.29
Administration	1,742,448	(481,386.81)	-	1,261,061.19
IT	552,789	(34,190.34)	-	518,598.66
Election	-	-	-	-
Capital Projects	28,500	(4,991.89)	-	23,508.11
HR	94,785	(21,117.46)	-	73,667.54
Community Development	121,950	(3,295.71)	-	118,654.29

Net Effect Increase/(Decrease)	(746,042.48)
--------------------------------	--------------

Done at Bernalillo, New Mexico this 11th day of August 2015.

238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248

Mayor Torres entertained a motion.

Councilor Jaramillo made a motion to adopt Resolution 08/11/15A Budget Adjustment for the General Fund. The motion was seconded by Councilor Dominguez and the motion carried unanimously.

NEW BUSINESS:9c) Discussion, Consideration, Action and Adoption of Resolution 08/11/15B Budget Adjustment for the Fire Fund. Presenter: Juan Torres

TOWN OF BERNALILLO
 RESOLUTION NO. 08-11-15B Fire Fund

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 11th day of August 2015 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to YTD actual

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

FIRE FUND:

Expenditures:

Account Number	Description	Current Budget	Decrease	Increase	Adjusted Budget
000-5010-2-0	Training	6,000.00	(2,326.20)	-	3,673.80

000-5015-2-0	Travel & Per Diem	3,000.00	(2,255.92)	-	744.08
000-5037-2-0	Gas & Oil	15,500.00	(9,051.54)	-	6,448.46
000-5017-2-0	Auto Maintenance	31,000.00	(2,517.25)	-	
000-5066-2-0	Uniforms	29,000.00	(37.15)	-	28,962.85
000-5070-2-0	Material & Supplies	22,950.00	(1,812.97)		
000-6006-1-4	Furniture & Equipment	58,087.00		18,001.03	76,088.03
			\$		
Net Effect Increase/(Decrease)			-		

Done at Bernalillo, New Mexico this 11th day of August 2015.

249 Mayor Torres entertained a motion.

250

251 Councilor Prairie made a motion to adopt Resolution 08/11/15B Budget Adjustment for the Fire
 252 Fund. The motion was seconded by Councilor Sisneros and the motion carried unanimously.

253

254 **NEW BUSINESS:9d) Discussion, Consideration, Action and Adoption of Resolution**
 255 **08/11/15C Budget Adjustment for the Lodger’s Tax Fund. Presenter: Juan Torres**

256

TOWN OF BERNALILLO
 RESOLUTION NO. 08-11-15C

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 11th day of August 2015 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to YTD actual

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

Lodgers Tax
Revenue:

Account Number	Description	Current Budget	Decrease	Increase	Adjusted Budget
000-4907-1-2	Lodgers Tax	95,000.00	-	7,163.16	102,163.16
Net Effect Increase/(Decrease)		7,163.16			

Done at Bernalillo, New Mexico this 11th day of August 2015.

257
 258
 259
 260
 261
 262
 263
 264
 265
 266

Mayor Torres entertained a motion.

Councilor Dominguez made a motion to adopt Resolution 08/11/15C Budget Adjustment for the Lodger's Tax Fund. The motion was seconded by Councilor Jaramillo and the motion carried unanimously.

NEW BUSINESS:9e) Discussion, Consideration, Action and Adoption of Resolution 08/11/15D Budget Adjustment for the Campground. Presenter: Juan Torres

TOWN OF BERNALILLO
 RESOLUTION NO. 08-11-15D

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 11th day of August 2015 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to YTD actual

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

Campground
Revenue:

	Revised Budget	Decrease	Increase	Adjusted Budget
Campground	118,000.00	-	8,788.86	126,788.86
Net Effect Increase/(Decrease)		\$ 8,788.86		

Expenditures:

	Revised Budget	Decrease	Increase	Adjusted Budget
Campground	117,848.00	(7,298.31)		110,549.69
Net Effect Increase/(Decrease)		(7,298.31)		

Done at Bernalillo, New Mexico this 11th day of August 2015.

267
 268
 269
 270
 271
 272
 273
 274
 275
 276
 277

Mayor Torres entertained a motion.

Councilor Dominguez made a motion to adopt Resolution 08/11/15D Budget Adjustment for the Campground. The motion was seconded by Councilor Sisneros and the motion carried unanimously.

NEW BUSINESS:9f) Discussion, Consideration, Action and Adoption of Resolution 08/11/15E Budget Adjustment for the Utility Fund. Presenter: Juan Torres

RESOLUTION NO. 08-11-15E

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 11th day of August 2015 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to YTD actual

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

Utility Fund:
Revenue:

	Revised Budget	Decrease	Increase	Adjusted Budget
Enterprise Fund	3,669,500.00	(261,549.00)		3,407,951.00
Net Effect Increase/(Decrease)		\$ (261,549.00)		

Expenditures:

Department	Revised Budget	Decrease	Increase	Adjusted Budget
Water	1,335,738.00	(338,610.00)		997,128.00
Waste Water	802,208.00	(22,646.00)		779,562.00
Animal Control	496,523.00	-	51,662.00	548,185.00
Net Effect Increase/(Decrease)		\$ (309,594.00)		

Done at Bernalillo, New Mexico this 11th day of August 2015.

278
 279
 280
 281
 282
 283
 284
 285
 286
 287

Mayor Torres entertained a motion.

Councilor Dominguez made a motion to adopt Resolution 08/11/15E Budget Adjustment for the Utility Fund. The motion was seconded by Councilor Jaramillo and the motion carried unanimously.

NEW BUSINESS:9g) Discussion, Consideration, Action and Adoption of Resolution 08/11/15F Budget Adjustment for the Wine Festival Fund. Presenter: Juan Torres

TOWN OF BERNALILLO
 RESOLUTION NO. 08-11-15F

WHEREAS, the Town of Bernalillo meeting in Regular Session on the 11th day of August 2015 at the Town Hall at 6:30 p.m., as per law,

WHEREAS, the need for a budget adjustment has developed due to YTD actual

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

Wine Festival
Revenue:

	Revised Budget	Decrease	Increase	Adjusted Budget
Wine Festival	341,000.00	(20,958.42)	-	320,041.58
Net Effect Increase/(Decrease)		\$ (20,958.42)		

Expenditures:

	Revised Budget	Decrease	Increase	Adjusted Budget
Wine Festival	329,400.00	(17,020.30)		312,379.70
Net Effect Increase/(Decrease)		(17,020.30)		

Done at Bernalillo, New Mexico this 11th day of August 2015.

288
 289
 290
 291
 292
 293
 294
 295
 296
 297
 298
 299
 300
 301
 302
 303
 304

Mayor Torres entertained a motion.

Councilor Prairie made a motion to adopt Resolution 08/11/15F Budget Adjustment for the Wine Festival Fund. The motion was seconded by Councilor Jaramillo and the motion carried unanimously.

NEW BUSINESS:9h) Discussion, Consideration, Action and Adoption of Resolution 08/11/15G Final Budget 2015-2016 Adoption. Presenter: Juan Torres

**STATE OF NEW MEXICO
 MUNICIPALITY OF TOWN OF BERNALILLO
 RESOLUTION NO. 8-11-15G
 2015-2016 FINAL BUDGET ADOPTION
 (104th FISCAL YEAR)**

WHEREAS, the Governing Body in and for the Municipality of the Town of Bernalillo,

305 State of New Mexico has developed a budget for fiscal year 2015-2016, and

306

307 **WHEREAS**, said budget was developed on the basis of need and through cooperation
308 with all user departments, elected officials and other department supervisors, and

309

310 **WHEREAS**, the official meetings for the review of said documents were duly
311 Advertised in compliance with the State Open Meetings Act, and

312

313 **WHEREAS**, it is the majority opinion of this Board that the final budget meets the requirements as
314 currently determined for fiscal year 2015-2016, and

315

316 **NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Governing Body of the
317 Municipality of the Town of Bernalillo, State of New Mexico hereby adopts the budget hereinabove
318 described and respectfully requests approval from the Local Government Division of the Department
319 of Finance and Administration.

320

321 **RESOLVED:** In the Regular Board Session this 11th day of August, 2015.

322

323 Mayor Torres entertained a motion.

324

325 Councilor Jaramillo made a motion to adopt Resolution 08/11/15G Final Budget 2015-2016
326 Adoption. The motion was seconded by Councilor Prairie and the motion carried unanimously.

327

328 **NEW BUSINESS:9i) Discussion, Consideration, Action on Request for Waiver for**
329 **Mountain West Brew Fest at Bernalillo. Presenter: Maria Rinaldi**

330

331 The Department of Community Development formally requests a waiver of the 300 Foot Rule,
332 pursuant to Chapter 223 of the Liquor Control Act Section, 60-6B-10, for the purpose of hosting
333 the Mountain West Brew Fest at Bernalillo to be held on the grounds of the Loretto Community
334 Park on Labor Day weekend, September 5-6, 2015.

335

336 The waiver request would allow the temporary serving of alcohol within three hundred feet of
337 Our Lady of Sorrows Catholic Church, First Assembly of God Church, and PB&J Therapeutic
338 Preschool.

339

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

342

343 Mayor Torres entertained a motion.

344

345 Councilor Dominguez made a motion to approve the Request for Waiver for the Mountain West
346 Brew Fest at Bernalillo. The motion was seconded by Councilor Jaramillo and the motion

347 carried unanimously.

348
349

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

351 Mayor Jack Torres asked for a motion to approve the accounts payable voucher list in the amount
352 of \$286,649.31.

353
354

355 Councilor Prairie made a motion to approve the accounts payable voucher list in the amount of
356 \$286,649.31. The motion was seconded by Councilor Sisneros and the motion carried
357 unanimously.

358
359

359 **MISCELLANEOUS SECTION: 11a) Public Comment.**

360 James Pike is concerned with the transformer behind Peanut Butter and Jelly Therapeutic
361 Preschool it does not have a protective fence around it. He has asked several teenagers to get
362 away from that area.

363
364

364 Mayor Torres asked Maria Rinaldi if she would get ahold of PNM concerning the transformer.

365

366 **MISCELLANEOUS SECTION: 11b) Announcements. Presenter: Mayor Torres**

367 Juan Torres stated that the auditors Griego Professional Service held a pre-audit meeting. The
368 plan is to have the audit to the State Auditor for 2014-2015 by mid-November.

369

370 Maria Rinaldi made the announcement that the San Lorenzo Fiesta was a success. Mayor Torres
371 thanked all the employees that assisted in making the San Lorenzo Fiesta's a success.

372

373 Mayor Torres stated that the NMFA over site committee will be meeting here in the Council
374 Chambers Thursday and Friday. Please feel free to stop by if you would like.

375

376 Ida Fierro asked for those Governing Body members interested in attending the NMML annual
377 conference in Albuquerque September 2-4 please let her know early registration ends August 18.

378

379

380 There being no further business, Councilor Prairie moved to adjourn the meeting at 7:10
381 P.M. The motion was seconded by Councilor Jaramillo and carried unanimously.

382

383

384

385

386

387

Done this 11th day of August 2015.

Minutes of the Town Council Meeting
August 11, 2015
Page 16

388
389
390
391
392
393

ATTEST:

Ida Fierro, Town Clerk
(seal)

Jack Torres, Mayor