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**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY OF THE TOWN OF BERNALILLO
HELD AT THE TOWN HALL
March 25, 2019**

10 The Governing Body of the Town of Bernalillo met in a regular session within the law and rules
11 of the Town on March 25, 2019, at 6:30 P.M.

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

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PRESENT:	ALSO PRESENT:
Councilor Sisneros	Mike Kloeppe
Councilor Prairie	Geraldine Guerrero
Councilor Jaramillo	Stephanie Shumsky
Mayor Torres	Daniel Trujillo

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ABSENT:	Others Present Not Identified
Councilor Dominguez	

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APPROVAL OF AGENDA: 4a)

29 Councilor Prairie moved to approve the agenda as presented. The motion was seconded by
30 Councilor Jaramillo and the motion carried unanimously.

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APPROVAL OF MINUTES: 5a) Regular Meeting of March 11, 2019

34 Councilor Sisneros moved to approve the minutes of March 11, 2019 as presented. The motion
35 was seconded by Councilor Prairie and the motion carried unanimously.

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**NEW BUSINESS: 6a) Discussion, Consideration, Action and Approval of
Resolution 03-25-19 Acceptance and Approval Audit of the FY 2018 Audit. Presenter:
Geraldine Guerrero and Daniel Trujillo, Kubiak Melton & Associates**

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RESOLUTION 3-25-2019

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ACCEPTANCE AND APPROVAL OF THE FY2018 AUDIT

WHEREAS, the Town of Bernalillo is required by statute to contract with an independent
auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2018; and,

WHEREAS, the Town of Bernalillo Governing Body has directed the accomplishment of the
audit for FY2018 be completed; and,

47 **WHEREAS**, this audit has been completed and presented to the Town of Bernalillo's
48 Governing Body per the February 13, 2019 Letter from the Statue Auditor authorizing release of
49 the FY2018 audit.
50

51 **WHEREAS**, NMAC 2.2.2.10 (M) (4) provides in pertinent part that "Once the audit
52 report is officially released to the agency by the state auditor (by a release letter) and the required
53 waiting period of five calendar days has passed, unless waived by the agency in writing, the audit
54 report shall be presented by the IPA, to a quorum of the governing authority of the agency at a
55 meeting held in accordance with the Open Meetings Act, if applicable;" and,
56

57 **NOW THEREFORE, BE IT RESOLVED**, that the Town of Bernalillo Governing Body
58 does hereby accept and approve the completed audit report and findings as indicated within this
59 document.
60

61 **ACCEPTED AND APPROVED** this 25th day of March 2019 in regular session by the
62 Governing Body, at Town of Bernalillo, Sandoval County, New Mexico.
63

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65 Mayor Torres entertained a motion.
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67 Councilor Jaramillo moved to adopt Resolution 03-25-19 Acceptance and Approval Audit of the
68 FY 2018 Audit. The motion was seconded by Councilor Sisneros and the motion carried
69 unanimously.
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72 **NEW BUSINESS: 6b) Discussion, Consideration, Action and Approval of**
73 **Memorandum of Agreement between Sandoval County and Town of Bernalillo Library.**
74 **Presenter: Kathy Banks**

75

76 Kathy Banks, Librarian, stated that the Memorandum of Agreement is for the allocation of the
77 Library bond in the amount of \$270,000. The allowable expenditures are library books, library
78 resources, or capital expenditures at the Library.

79

80 Mayor Torres entertained a motion.
81

82

83 Councilor Prairie made a motion to approve the Memorandum of Agreement between Sandoval
84 County and Town of Bernalillo Library. The motion was seconded by Councilor Sisneros and
85 the motion carried unanimously.
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88 **ATTACHMENT A: MEMORANDUM**
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88 **NEW BUSINESS: 6c) Discussion, Consideration, Action and Approval of**
89 **Celebration Permit for Rio Grande Celtic Festival May 4-5, 2019. Presenter: Michael**
90 **Kloeppe**

91
92 Michael Kloeppe, Economic Development Director, stated the Rio Grande Celtic Festival will
93 be May 4-5, 2019 at Rotary Park. Hollow Spirits Distillery, Starr Brothers Brewing, and Bosque
94 Brewing Co. are the Craft Distiller and Small Brewers attending. There will be an alcohol
95 garden where the alcohol will be served. The hours alcohol will be served is Saturday from 10-5
96 and Sunday 12-4:30.

97
98 Mayor Torres entertained a motion.

99
100 Councilor Sisneros made a motion to approve the Celebration Permit for the Rio Grande Celtic
101 Festival May 4-5, 2019. The motion was seconded by Councilor Jaramillo and the motion
102 carried unanimously.

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105 **FINANCIAL SECTION: 7a) Approval of Accounts Payable Voucher List.**

106 Mayor Torres asked for a motion to approve the accounts payable in the amount of \$477,314.36.

107
108 Mayor Torres entertained a motion.

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110 Councilor Jaramillo made a motion to approve the accounts payable voucher list in the amount of
111 \$477,314.36. The motion was seconded by Councilor Sisneros and the motion carried
112 unanimously.

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115 **MISCELLANEOUS SECTION: 8a) Public Comment.**

116 None.

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118 **MISCELLANEOUS SECTION: 8b) Announcements. Presenter: Mayor Torres**

119 The following announcements were made:

120
121 Ida Fierro, Clerk/Administrator, stated the following: the Town has been awarded \$1,747,428 for
122 the Streetscape Phase IV from MRCOG the location of the project is Avenida Bernalillo to
123 Lucero.

124
125 The Railroad walkway is almost complete, awaiting CenturyLink to complete the work on their
126 pull boxes which will be next week. The contractor, Star Paving, will then complete the punch
127 list on the project to complete the cleanup of the site.

128

129 The Streetscape Phase III will be bid in April. The project is a 90 day project, it is Calle
130 Presidente to Calle Del Norte.

131

132 April 11 is the NMML District 8 meeting in Rio Rancho. Please let me know if you will be
133 attending.

134

135 Mayor Torres stated that the Town has been award Capital Outlay 1,590,000 for Water System
136 Improvements and \$216,750 for ADA Sidewalk Improvement. I have also invited Senator
137 Sapien and our Representative to present a legislative update at our Council meeting as they have
138 in the past.

139

140 There being no further business, Councilor Sisneros moved to adjourn the meeting at 7:30 P.M.
141 The motion was seconded by Councilor Prairie and carried unanimously.

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143 Done this 25th day of March 2019.

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ATTEST



148

149 Ida Fierro, Town Clerk

150 (seal)

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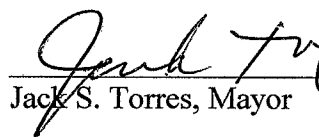
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Jack S. Torres, Mayor

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

This Memorandum of Agreement is entered into this _____ day of _____, 2019 between the Board of County Commissioners of Sandoval County (the "Board") and the Town of Bernalillo Library (the "Library").

WHEREAS, the registered voters of Sandoval County, New Mexico approved the following general obligation bond question on November 6, 2018:

"Shall Sandoval County be authorized to issue up to \$3,385,000 of general obligation bonds, to be paid from property taxes, for the purpose of purchasing library books and resources, including equipment, upgrades, and improvements for libraries?"

WHEREAS, pursuant to Ordinance No. 12-13-18.10A adopted by the Board on December 13, 2018, and Resolution No. 1-17-19.11A adopted by the Board on January 17, 2019, the Board has issued its \$12,365,000 Sandoval County, New Mexico General Obligation Bonds, Series 2019 (the "Bonds"); and

WHEREAS, proceeds of the Bonds in the amount of \$3,350,000 were issued for the purpose of purchasing library books and resources, including equipment, upgrades, and improvements for libraries within the County (the "Project"); and

WHEREAS, the New Mexico Administrative Code provides guidance on what qualifies as "library resources" by defining "library resources" to mean "library holdings intended for public use and the tools required to make the resources usable by the public. Library resources can include books, videos, DVDs, sound recordings, electronic and digital media, and information materials accessed via the internet;" and

WHEREAS, the County has covenanted that it will restrict use of the proceeds of the Bonds in such manner and to such extent as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended.

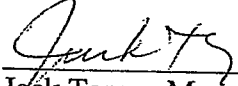
NOW, THEREFORE, the Board and the Library agree as follows:

1. ALLOCATION. The Board allocated \$270,000 of the proceeds of the Bonds to the Library for the Project.
2. ALLOWABLE EXPENDITURES OF BOND PROCEEDS. The Library agrees to expend its allocation of Bond proceeds for library books, library resources (as defined by the New Mexico Administrative Code) or capital expenditures at the Library. None of the proceeds of the Bonds will be used to reimburse the Library for expenditures made from any source prior January 23, 2019.

3. COMPLIANCE WITH PROCUREMENT CODE. The Library shall comply with the New Mexico Procurement Code, Sections 13-1-28 through 13-1-99, NMSA 1978, in its use of Bond proceeds.
4. TIME PERIOD FOR USING ALLOCATION. The Library must proceed with due diligence in the acquisition of the Project. The Library shall encumber or spend 5% of its allocation (\$13,500) by July 23, 2019 and shall spend the remaining funds in its allocation by January 23, 2022 as required by the Tax Compliance Certificate issued by the County in connection with the Bonds.
5. DOCUMENTATION REQUIRED FOR SUBMITTING REQUISITIONS. The County will hold the Bond proceeds allocated to the Library. The Library shall submit a requisition to the County Contracts & Assets Administrator, on the required form to be provided to the Library, describing item(s) that the Library wishes to purchase with Bond proceeds and the cost of the item(s).
6. DOCUMENTATION REQUIRED FOR SUBMITTING FOR REIMBURSEMENT. The County will hold the Bond proceeds allocated to the Library. The Library shall submit a reimbursement request to the County Contracts & Assets Administrator, on the required form to be provided to the Library, certifying that the expenditures made by the Library are allowable as specified in this Agreement.
7. BOOKS AND RECORDS. The Library and County shall maintain detailed records of all of the expenditures of the Bond proceeds for so long as the Bonds remain outstanding. The County auditor may audit those accounts and records as part of its yearly audit.

IN WITNESS WHEREOF, the Board and the Library have caused this Memorandum of Agreement to be duly executed as of the date first written above.

TOWN OF BERNALILLO LIBRARY



 Jack Torres, Mayor

ATTEST:

 Eileen Garbagni, County Clerk

APPROVED AS TO FORM:

 Robin S. Hammer, County Attorney

**BOARD OF COUNTY COMMISSIONERS
 OF SANDOVAL COUNTY**

 David J. Heil, Chairman

 Jay C. Block, Vice Chairman

 Katherine A. Bruch, Member

 Michael Meek, Member

 F. Kenneth Eichwald, Member



SANDOVAL COUNTY
RESOLUTION NO 8-9-18.6B

**RESOLUTION TO BEGIN ISSUING GENERAL OBLIGATION
BONDS FOR LIBRARIES WITHIN THE COUNTY ON A TWO
YEAR CYCLE**

WHEREAS, the Sandoval County Commission is tasked with submitting general election questions to the registered voters of Sandoval County for the issuance of its general obligation bonds, and has done so every four years for at least that last 24 years; and

WHEREAS, the County Commission realizes that federal laws require that substantially all of the proceeds of a tax exempt debt be expended for the intended project(s) within three years of the date of the debt; and

WHEREAS, the federal expenditure requirement creates a situation in which all of the County libraries have no County funding for the time period between the end of the three year spending requirement and the issuance and funding of the next series of library bonds; and

WHEREAS, the County desires to start a program in which it will request General Obligation bonds for libraries every two years, so that funds will flow every year to all of the County libraries; and

WHEREAS, The County, in conversations with City of Rio Rancho officials and other librarians within the County, recognize the need to have a better process of allocating any future bond proceeds dedicated to County libraries and desire to establish such a process that will include the County Manager, citizens of the County that have knowledge of libraries and representatives from the City of Rio Rancho; and

WHEREAS, the County Commission desires to begin this process during the 2020 calendar year in bond amounts that is no less than fifty percent (50%) of the library bonds to be issued based on the 2018 General Election; and

WHEREAS, in the first cycle in 2020 the total bond issue shall not be less than \$1,875,000 and of that amount \$200,000 shall be set aside for approved projects as set forth in Exhibit A attached hereto.

NOW THEREFORE BE IT RESOLVED; that the County Commission commits to requesting voter approval for General Obligation Bonds for all County libraries beginning in 2020 and directs the County Manager and Municipal Advisor to take all steps necessary to prepare the County for issuance of General Obligation Library Bond issues every two years; and



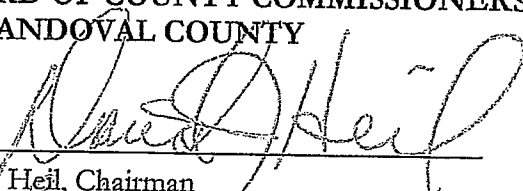
BE IT FURTHER RESOLVED, that the County Commission hereby directs the County Manager to work with City of Rio Rancho officials, County citizens with experience in libraries and County staff experienced in library funding to establish a committee and a process for allocating future library funds to the various County libraries and that this shall be done prior to the issuance of the next County library bond.

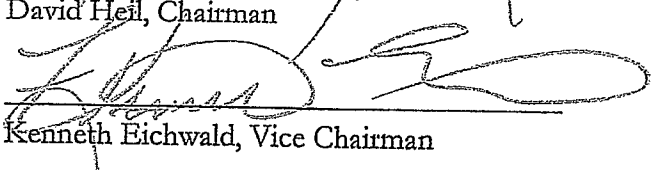
**2018 SANDOVAL COUNTY LIBRARY GENERAL OBLIGATION BOND ISSUE - EXHIBIT A
PROPOSED ALLOCATION - \$200,000 change and move to 2020**

	Final Request	Capital Outlay	Books, Etc.	Proposed Allocation	% of Gross Allotment	2020 \$200 Allocation
Bernalillo	\$ 320,000.00	\$ 48,000	\$ 222,000	\$ 270,000	8.06%	\$ 50,000.00
Cochiti Lake	\$ 71,900.00	\$ 53,000	\$ 18,900	\$ 71,900	2.15%	
Cochiti Pueblo	\$ 1,070,000.00	\$ 100,000	\$ 190,000	\$ 290,000	8.66%	\$ 50,000.00
Corrales	\$ 245,000.00	\$ 40,000	\$ 190,000	\$ 230,000	6.87%	
Cuba	\$ 200,000.00	\$ 200,000	\$ -	\$ 200,000	5.97%	
Jemez Pueblo	\$ 30,700.00	\$ 20,400	\$ 10,300	\$ 30,700	0.92%	
Jemez Springs	\$ 95,500.00	\$ 24,000	\$ 45,000	\$ 69,000	2.06%	
Pena Blanca	\$ 10,450.00	\$ 4,200	\$ 6,250	\$ 10,450	0.31%	
Placitas Community Library	\$ 124,000.00	\$ 20,000	\$ 104,000	\$ 124,000	3.70%	
Rio Rancho	\$ 1,936,800.00	\$ 40,000	\$ 1,461,150	\$ 1,501,150	44.81%	
San Felipe Pueblo	\$ 232,158.50	\$ 61,700	\$ 100,000	\$ 161,700	4.83%	\$ 25,000.00
Sandia Pueblo	\$ 29,600.00	\$ -	\$ 15,000	\$ 15,000	0.45%	
Santa Ana Pueblo	\$ 61,000.00	\$ 61,000	\$ -	\$ 61,000	1.82%	
Santo Domingo Pueblo	\$ 226,000.00	\$ 50,000	\$ 100,000	\$ 150,000	4.48%	\$ 50,000.00
Torreon Community Library	\$ 80,000.00	\$ 25,000	\$ 55,000	\$ 80,000	2.39%	
Zia Pueblo	\$ 160,100.00	\$ 65,000	\$ 20,100	\$ 85,100	2.54%	\$ 25,000.00
Total Community Information	\$ 4,893,209	\$ 812,300	\$ 2,537,700	\$ 3,350,000	100%	\$ 200,000.00

APPROVED AND ADOPTED by the Governing Body of Sandoval County, New Mexico, this
9th day of August, 2018.


BOARD OF COUNTY COMMISSIONERS
OF SANDOVAL COUNTY



David Heil, Chairman


Kenneth Eichwald, Vice Chairman

ATTEST:



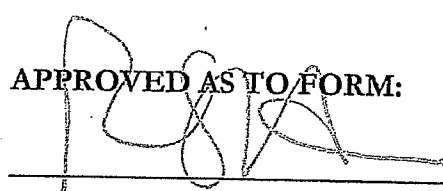
Eileen Garbagni, County Clerk

Jay Block, Member



Don G. Chapman, Member

APPROVED AS TO FORM:



Robin Hammer, County Attorney

James Holden-Rhodes, Member