

MINUTES

VILLAGE OF TIJERAS
COUNCIL Meeting
MONDAY JULY 6, 2020 AT 6:00 P.M.
COUNCIL CHAMBERS

The Village of Tijeras will be using a format that complies with the recent New Mexico Department of Health's public health emergency order governing mass gatherings because of COVID-19. Public in-person attendance Monday evening will not be allowed. Minimal Village staff will be in attendance to present items and most Councilors will be participating by phone or video conference.

The agenda has been streamlined to focus on time-sensitive matters. Members of the public interested in watching the public hearing can view the agenda and live-stream the meeting from home via Zoom using this link and accessing the meeting for July 6, 2020:

Join Zoom Meeting

<https://zoom.us/j/91953001470?pwd=UXlxL3EyZ1ptRmZ1M1BSaXhvK2hVdz09>

Meeting ID: 919 5300 1470

Password: 264315

One tap mobile

+1 253-215-8782

CALL TO ORDER

Meeting called to order at 6:00 pm

Please turn off cell phones
Or
Set to silent mode

1. PLEDGE OF ALLEGIANCE

Mayor Bruton made to following opening remarks:

The State of New Mexico is currently in a Public Health Emergency and as such many people are using virtual services like Zoom. Given the popularity of Zoom and the potential for their system to be overloaded, I would like to ask that should we lose our Zoom video system during the meeting everyone participating should immediately exit the meeting by clicking on the “exit meeting” tab highlighted in red located in the lower right corner of your video display. After you exit the meeting, re-enter by using your cell phone to call the phone number listed in the meeting announcement and we will continue the meeting via phone conference. You will need the meeting and password listed in the meeting announcement. In case you don’t have that announcement, here is the meeting ID, password and numbers to call:

1-253-215-8782
 Meeting ID: 919 5300 1470
 Password: 264315

2. ROLL CALL/DETERMINATION OF QUORUM

DJ	X	FG	X	MW	X	YG	X
Quorum present		Yes	No				

3. INTRODUCTION OF GUESTS

Kevin Eades, Molzen Corbin
 Roberta Padilla, Prodigy Builders
 Drew Padilla, Prodigy Builders

4. Approval of Agenda

A C T I O N	Motion	Motion to approve the agenda as presented.		
	Made by:	D. Johnson	Councilor Johnson-Y	Councilor F Garcia-Y
	Second by:	Y. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

5. **Council to Review and Approve Previous Council Minutes**

Attachment Council Public Hearing Minutes 062220

A C T I O N	Motion	Motion to approve the minutes of the Council's Public Hearing on 06/22/20		
	Made by:	D. Johnson	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	Y. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

6. **Council to Consider the Appeal of Peggy Pohl for Past Due Fees on Water Account #005**

Clerk Wismer informed the Mayor and Council that Ms. Pohl would not be able to attend the meeting but would abide by the Council decision. Mayor Bruton stated Ms. Pohl had restarted water service at her commercial property located at 11807 S HWY 337 in Feb. 2020. Where she received her first bill in March it included an arrearage of \$44.10. Ms. Pohl wished to dispute the arrearage fee. Records from Quickwater indicate the \$44.10 was left unpaid from when water was shut off at Ms. Pohl's written request in Feb. of 2010. Records indicate the VOT water operator turned the water off as requested. Ms. Pohl had indicated she paid off that account which may have been a rental back then. Councilor Johnson asked about the resolution provided in the agenda package. Mayor Bruton explained if Ms. Pohl had been renting the property at the time, she is responsible for payment per VOT Resolution 230.

A C T I O N	Motion	Motion to deny the appeal of Ms. Peggy Pohl for payment of a past due fee of \$44.10.		
	Made by:	D. Johnson	Councilor Johnson-Y	Councilor F Garcia-Y
	Second by:	F. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

7. **Council to Review and Approve Recommendation from the VOT Planning and Zoning Commission to Approve ZA 1108, Outdoor Storage at Western Mercantile**

Planning and Zoning Commission Chairman Danny Jaramillo explained Western Mercantile wished to add a storage shed to their business. The design met all requirements including the setback requirements. Councilor Wilson stated she was glad very much appreciates the fact that Western Mercantile takes pride in their property, complies with all the Village requirements and is a valued business in the Village of Tijeras. Councilor Johnson stated he agreed and also thanked Western Mercantile for their efforts to enhance their property.

A C T I O N	Motion	Motion to approve ZA 1108, Outdoor Storage Shed at Western Mercantile.		
	Made by:	M. Wilson	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	D. Johnson	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

8. **Council to Review and Approve Resolution 2020-23, a Budget Adjustment Request for FY 2019-2020 for \$57,802 in Payments to Molzen Corbin.**

Mayor Bruton explained Molzen Corbin recently contacted the Village to inform us they had not submitted retainer invoices to the Village for the last 10 months. The problem revolved around the Village, under the previous administration, had asked Molzen Corbin to arrange hotels and air line reservations for the Village for a joint trip top Washington D.C. to visit the New Mexico Congressional Delegation. When Molzen Corbin asked Mayor Chavez and Diane Klaus whether to add the fees for those services in the usual retainer invoice to invoice them separately, the Village never responded to that request, so the system stopped producing invoices. Mayor Bruton also stated that the Village under the past administration had been given a finding of a material weakness for directing their A&E contractor to set airline and hotel arrangements. He also stated these are bills that must be paid. Kevin Eades of Molzen Corbin confirmed all that had occurred.

A C T I O N	Motion	Motion to approve Resolution 2020-23, a Budget Adjustment for the FY 2019-2020 Budget and Budget Adjustment #5.		
	Made by:	Y. Garcia	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	M. Wilson	Councilor Wilson-Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

9. Council to Consider Extending the Contract for Prodigy Builders for Water and Wastewater Operations.

Mayor Bruton stated Prodigy Builders has done a fantastic job working on the operations and maintenance of the Village’s water system for the past three months and he would like to extend their contract. Attorney Zarr stated there were issues with the indemnification portion of the contract which can simply be stricken from the contract if the Village wished to move forward. Mayor Bruton stated he would like to see the contract revised once the Mission SCADA System was installed on Tank 1 Well one because the system allows for more remote monitoring and less time on the ground checking the tank levels.

A C T I O N	Motion	Motion to extend the contract with Prodigy Builders, as amended, for an initial period of 30 days.		
	Made by:	M. Wilson	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	F. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

10. Council to Review and Approve Village of Tijeras Resolution 2020-19, A Resolution by the Village of Tijeras Governing Body Designating the Retention and Disposition Schedules for the Records of the Village of Tijeras

Mayor Bruton stated the Village has been collecting boxes and boxes of documents that need to be either filed, scanned or destroyed. In doing so, we need to follow approved records retention schedules in determining which records we are required to keep, and which ones can be destroyed or shredded.

A C T I O N	Motion	Motion to approve Village of Tijeras Resolution 2020-19, a Resolution By the Village of Tijeras Governing Body Designating the Retention and Disposition Schedules for the Records of the Village of Tijeras.		
	Made by:	Y. Garcia	Councilor Johnson-	Councilor F Garcia-
	Second by:	M. Wilson	Councilor Wilson-	Councilor Y Garcia-
	Motion carried?	PASSED	FAILED	

11. Council to Review and Approve Village of Tijeras Resolution 2020-20 Designating Prodigy Builders as the Water and Wastewater Operators for the Village of Tijeras.

Clerk Wismer requested this item be tabled and added to a future agenda after a longer-term contract has been negotiated with Prodigy Builders.

A C T I O N	Motion	Motion to table Village of Tijeras Resolution 2020-20 Designating Prodigy Builders as the Water and Wastewater Operators for the Village of Tijeras until a long-term contract can be put into place.		
	Made by:	M. Wilson	Councilor Johnson-Y	Councilor F Garcia-Y
	Second by:	F. Garcia	Councilor Wilson-Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

12. Council to Review and Approve Village of Tijeras Resolution 2020-21, A Resolution by the Village of Tijeras Governing Body to Promote Sustainable Practices at Village Facilities.

Mayor Bruton introduced this item as a part of an effort to promote sustainable practices. Councilor Yvette Garcia said she appreciated the effort by the staff to reduce paper by sending electronic agendas and moving away from one-time use paper goods. She said she is happy progress is being made.

A C T I O N	Motion	Motion to approve Village of Tijeras Resolution 2020-21, A Resolution by the Governing Body to Promote Sustainable Practices at Village Facilities.		
	Made by:	Y. Garcia	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	F. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

13. Council to Review and Approve Village of Tijeras Resolution 2020-22, A Resolution by the Village of Tijeras Governing Body to Establish Water and Wastewater Rates

Attachment: [Entranosa Fee Schedule.pdf](#)

Mayor Bruton introduced this item by saying the Village is operating the water utility at a deficit currently at \$66K and it is time to raise the water rates. Deputy Clerk Brown stated our water rates were structured so that commercial users, those that use the most water were not being charged the highest fees for usage over the base rate. In fact, residents were paying the higher rate when their use exceeded the base rate associated with 3000 gallons per month in the tiered structure. These new rates reverse that by charging increased rates for higher uses by commercial users. She also stated the Village did not raise the rate the rate by 3% as it should have in 2018 so the increase is 6%. She also noted that even when the rates are increase, the Village rates will be lower than Entranosa, the Town of Bernalillo and other communities of similar size. Councilor Johnson asked if this rate increase would make the water fund flush? Clerk Wismer said it would not but it is a step in the right direction. There may have to be increases in the future. He also asked that the resolution be amended to change the implementation date to August 25 to allow for more time to notify residents.

Motion	Motion to approve Resolution 2020-22, a Resolution by the Village of Tijeras Governing Body to Establish Water and Wastewater Rates, as amended to change the implementation date to August 25, 2020.		
Made by:	D. Johnson	Councilor Johnson- Y	Councilor F Garcia-Y
Second by:	F. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
Motion carried?	PASSED	FAILED	

14. Council to Call for a Public Hearing Within 30 Days to Consider Rescinding Village of Tijeras Zoning Ordinance Number 155 and Adopting Village of Tijeras Zoning Ordinance Number 180

Mayor Bruton stated the new zoning ordinance is moving forward. Deputy Clerk Brown will be facilitating a workshop with the Planning and Zoning Commission on July 9 to get their input on the draft. The Council will hold a joint meeting on July 13 to consider their input then the draft will be finalized.

Motion	Motion to call for a public hearing within 30 days to consider rescinding Village of Tijeras Zoning Ordinance #155 and adopting Village of Tijeras Zo9ning Ordinance Number 180.		
Made by:	D. Johnson	Councilor Johnson- Y	Councilor F Garcia-Y
Second by:	F. Garcia	Councilor Wilson-Y	Councilor Y Garcia-Y
Motion carried?	PASSED	FAILED	

15. Public Comments

The Village encourages public comment via email at clerk@villageoftijeras.com . Citizens are asked to type PUBLIC COMMENT in the subject line of the email. Within the body of the email, individuals should include a name, address, whether the comment pertains to a specific item on the agenda, and the comment.

Public comments about items will be accepted prior to the meeting, to be read into the meeting at the appropriate time. In addition, the email address will be monitored during the meeting for comments to be received during the live proceedings and read into the record when the Mayor calls for public comment.

No public requests for public comment were received.

Mayor Bruton updated the Council on the Well #3 project.

16. Updates

- a. Clerk/Treasurer Update
 - i. Appraisal for the properties at 15 Tijeras may have been inadequate so another appraisal will be conducted and brought to Council.
 - ii. The hallways of the Village Hall have been painted and now display art provided by local veteran artists.
- b. Deputy Clerk Update
 - i. Several residents have opted in to receiving updates electronically.
 - ii. Working with the City of Albuquerque to provide meal pick-up at the senior center for our seniors. More to come.

17. Time and Place of Next Meetings

REGULAR COUNCIL MEETINGS ARE NOW HELD ON THE FIRST AND THIRD MONDAY OF THE MONTH. THE NEXT MEETING WILL BE HELD ON MONDAY, JULY 20, 2020.

ADJOURNMENT

The Governing Body may revise the order of the agenda items considered at this Open Meeting. If you are an individual with a disability who is in need of an amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Village Clerk at 505-281-1220 at least three (3) days prior to the meeting.

Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsection (2) limited personnel matters; (5) discussion of bargaining strategy preliminary to collective bargaining negotiations; (7) attorney-client privilege pertaining to threatening or pending litigation in which the public is or may become a participant; (8) discussion of the purchase, acquisition or disposal of real property or water rights by the public body. Speakers limited to 2 minutes.

The meeting was adjourned at 7:50pm.