

MINUTES

VILLAGE OF TIJERAS

COUNCIL MEETING

MONDAY AUGUST 3, 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 meeting can view the agenda and live-stream the meeting from home via Zoom using this link and accessing the meeting for August 3, 2020.

Join Zoom Meeting

<https://zoom.us/j/97093389524?pwd=c3czNVRiektkR1dwYWtJVWJBT1lmQT09>

Meeting ID: 970 9338 9524

Passcode: 619269

One tap mobile

+1 253 215 8782 US (Tacoma)

1. CALL TO ORDER

Meeting called to order at 6:04

Please turn off cell phones
Or
Set to silent mode

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL/DETERMINATION OF QUORUM

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

4. INTRODUCTION OF GUESTS

William Zarr, Village Attorney	Roberta Padilla
Dr. Circe Olson Woessmer	Andrew Padilla
George Trever	Danny Jaramillo, P&Z Chair

5. Approval of Agenda

A C T I O N	Motion	Motion to approve agenda 080320		
	Made by:	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 Review and Approve Previous Council Minutes

[Attachment:](#) Minutes of the 072020 & 072420 Council Meetings

A C T I O N	Motion	Motion to approve minutes from 072020 and 072420 as consent agenda		
	Made by:	Wilson	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 Consider the Purchase of Joanne Cahill Property located at 10 Camino Municipal, Tijeras, NM.

[Attachment:](#) Appraisal of 10 Camino
Attachment: MA for the Estate of Joanne Cahill

Mrs. Cahill wanted the Village to have the first opportunity to purchase the property in her last will and testimate. The Mayor was approached by the estate of Mrs. Cahill about purchasing the property. The Mayor also mentioned the MOU with the Museum of the American Military Family and how this house could house the museum in the future. The Mayor mentioned subdividing the property, selling the house to the museum and then the museum gifting it back as apart of

the MOU. The estate mentioned that they would sell it at \$180,000, below the appraised value. The attorney noted that there is no issue with this, the Council has the authority to buy real property with no impediment to pay less than appraised value. Councilor Johnson asked to clarify process with MOU with the museum. The Mayor stated the property would be subdivided so that museum only has the home. The Village would utilize the other plots of land. The curator of the museum is raising funds to buy the house part of the property. The museum could rent/lease the property from the Village and then give it back. The attorney mentioned that if we enter into said agreement (sale or lease of a property with a value of \$20,000 or more), the Council would need to pass an ordinance in order to do so, which could go to referendum. The Mayor clarified that fact that leases are also subject ordinance/referendum with the attorney. Councilor Johnson asked if we need to an appraisal. The Mayor stated there has been for the whole appraisal. Councilor Johnson asked how we know the value of the house and plots of land. The Mayor stated that would need to happen after it was divided and purchased. The Mayor mentioned that the plot would be good for the future maintenance building. Councilor F. Garcia stated why don't we purchase and rent to the museum. The Mayor clarified that the museum would rent the property and we could divide it later or not. The Mayor stated that by having it donated back to the Village, it would help the Village break even. Councilor Wilson asked about the museum buying the property. The curator stated they have not done robust fundraising because they were waiting for the Village to make a decision regarding the property, but that they have other funding sources to help reach the fundraising goal. The museum stated they can rent in the meantime and put down chunks towards the house in the meantime. Councilor Y. Garcia asked what the benefit to the Village is of buying the property. The Mayor clarified that the Village would buy it out right and then have the museum end up paying for. The curator mentioned that it is a tourist destination and would draw people to the Village. Councilor Y. Garcia stated that having the museum putting the money up front would help in the purchase. The Mayor asked if the attorney if the down payment could be put down. The attorney clarified that the Village could not finance the property and that the Village could not rent it for less than market value. The Mayor asked if there is anything against buying the house and then selling it the museum. Clerk Brown asked if money could be exchanged before the ordinance went into place. The attorney said no, not until the ordinance is in place and added that there are a lot of details that need to be worked out. Finance Director asked if the estate would be interested in selling it directly to the museum on a real estate contract. Mr. Trevor from the estate said further discussion would need to happen with the trustees. The attorney stated that with this idea, the estate would have a lot a flexible ability that they would not have working with the Village. The museum curator stated that she is concerned that the estate wants to sell and a real estate contract could take a long time and have many variables. Mr. Trevor stated that the trust is interested in liquidating the property because the funds are going to charitable organizations. Finance Director stated that with upcoming projects the cash demand of purchasing the property would be difficult with current and

upcoming projects. The Mayor asked how tight it would make things. Finance Director stated with most recent transfers we were around \$700,000 and that cash is tighter than it has been in a while. Clerk Brown contributed that the Senior Center grant could take a long time to get refunded. Councilor Johnson asked to hear the curator’s opinion about buying the property flat out. The curator said she hopes to raise the funds, but that it would be safer and easier for the Village to buy it and for them to rent it. The Mayor asked in the estate would be amenable to a year long real estate contract. Mr. Trevor would need to consult the estate. The attorney stated that would need to be worked out with the estate and the museum. Councilor Johnson stated he is concerned about what Finance Director stated and that he is concerned about the cash purchase. The Mayor stated that the idea is that it would all come back, but that there would be floating capital. The curator asked the museum would buy the whole property, which the Mayor confirmed. Councilor Wilson expressed the same concerns. Councilor Johnson asked what the time limit on the \$180,000 purchase price. The Mayor stated that if this deal doesn’t work out that the property would go on the market.

A C T I O N	Motion	Motion to decline the purchase of the property because of current financial state of the Village		
	Made by:	Johnson	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	Y. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

8. **Council to review and approve ZA 1111, Home based business registration for Carly Zees Corner LLC**

Attachment : [ZA111](#)

Chair Jaramillo explained that there would be no traffic or signs. Clerk Brown explained that the resident sells crocheted goods, after Councilor Wilson asked what the business was for.

A C T I O N	Motion	Motion to approve ZA1111		
	Made by:	Wilson	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	Y. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

9. **Council to Reconsider the Sale of Three Vacant Lots Located at 15 Tijeras Ave, Tijeras NM in leu of a New and Valid Appraisal**

Attachment: Appraisal Report for 15 Tijeras Ave, Tijeras NM by Colliers International Valuation & Advisory Services

Attachment: NM Statute Authority to Sell or Lease Municipal Real Property.

Attachment: Small Triangular Lot for Tijeras NM.

Attachment: Appraisal for 15 Tijeras

The Mayor stated there is someone interested in purchasing it and that the attorney brought it to our attention that the first appraisal was not valid, so it was reappraised and the value came out at \$30,000. The attorney has advised that an ordinance would need to be drafted to sell the property because of the value. Councilor Wilson asked about expanding the senior center, but the Mayor stated that there is a road dividing the two areas. Councilor Wilson asked if we paid for the appraisals and the Mayor stated that the Village had. The attorney stated that this ordinance would be different than other ordinances, but at the direction of council the attorney would draft the ordinance and the contract to sell the property and could be placed on the next agenda. The attorney also stated once it is adopted it does not come effective for 45 days because there can be a referendum via petition of a certain percentage of registered voters. The Mayor mentioned that Council seemed amenable to selling the property before. The attorney said it should be simple to prepare ordinance. Councilor Johnson stated we should pursue this because of the price and start drafting the ordinance. The attorney stated that the Village would incur the cost of getting a survey and title exam, which would be in the ordinance to describe the property.

A C T I O N	Motion	Motion to pursue drafting the ordinance to sell properties at 15 Tijeras Ave.		
	Made by:	Johnson	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 Consider and Approve the Contract Between the Village of Tijeras and Prodigy Builders for Water and Wastewater Operations and Maintenance Services.**

Attachment: Draft Contract with Prodigy Builders, Inc.

The Mayor stated that the contract was negotiated and is amenable to both parties. Prodigy Builders stated they approve of this contract. The Mayor asked if this is the best contract, considering the circumstances. The attorney stated that there was some level of give and take but that the Village is protected. The

attorney mentioned that one section did not get changed to mirror the rest so that the Council should note that slight change (one mention of weekly, when it should read monthly). Councilor Y. Garcia stated this a good idea to help get the Village on track and that they have good experience. Prodigy Builder stated that now both systems are on Mission, the health of the wells can be monitored better than before, which makes them more comfortable hooking more residents into the system. Councilor Johnson was happy to see that the contract will be for the next fiscal year in addition to the cancellation clause.

A C T I O N	Motion	Motion to approve the contract between Prodigy Builder and the Village of Tijeras for Wastewater and water operations and maintenance		
	Made by:	Y. Garcia	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	Johnson	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

11. Council to Consider and Approve Resolution 2020-20, A Resolution By the Village of Tijeras to Designate Prodigy Builders, Inc as the Water and Wastewater Operators for the Village.

Attachment: Resolution 2020-20.

The Mayor stated that this just to assure the Village has a Water Operator of Record with the state.

A C T I O N	Motion	Motion to approve Resolution 2020-20 A Resolution By the Village of Tijeras to Designate Prodigy Builders, Inc as the Water and Wastewater Operators for the Village.		
	Made by:	<u>Wilson</u>	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	Y. Garcia	Councilor Wilson- Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

12. Council to Review and Approve May and June 2020 Financials.

Attachment: May 2020 Financials
Attachment: June 2020 Financials

Councilor Wilson had previously asked Finance Director questions and he responded.

A C T I O N	Motion	Motion to approve May 2020 Financials		
	Made by:	Wilson	Councilor Johnson- Y	Councilor F Garcia- Y
	Second by:	Johnson	Councilor Wilson- Y	Councilor Y Garcia- Y
	Motion carried?	PASSED	FAILED	

A C T I O N	Motion	Motion to approve June 2020 Financials		
	Made by:	Wilson	Councilor Johnson- Y	Councilor F Garcia- Y
	Second by:	Y. Garcia	Councilor Wilson- Y	Councilor Y Garcia- Y
	Motion carried?	PASSED	FAILED	

13. Council to Appoint Nick Kennedy as the Village of Tijeras Deputy Clerk Effective August 17, 2020 with a Starting Salary of \$58K.

Attachment: N. Kennedy Resume

Attachment: Application – N Kennedy – Deputy Clerk

The Mayor stated four candidates were interviewed and that Nick was the most impressive candidate. Councilor Wilson stated she reviewed his resume and that he is qualified. Nick introduced himself and state his connection to the community. He is looking forward to the role and stated that he has a master’s in history and has since been working as a policy analyst for the state on a legislative committee. He stated some of his duties, which included meetings with presentations that are very similar to council meetings. He compared his former role as similar to the role of the Mayor and Clerk Brown. He has composed minutes and prepares reports if there is a topic, he has expertise on. During the session, he has analyzed bills and given testimony for committees and chambers. He was there to support the committee and produce reports for the committee.

A C T I O N	Motion	Motion to appoint Nick Kennedy as Deputy Clerk effective 081720 with starting salary of \$58,000		
	Made by:	Johnson	Councilor Johnson- Y	Councilor F Garcia-Y
	Second by:	Wilson	Councilor Wilson-Y	Councilor Y Garcia-Y

N	Motion carried?	PASSED	FAILED	
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14. 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 comment

15. Updates

a. Mayor Bruton

- i. Water billing online went live today, can pay on the home page of the website. The Mayor was the first person to pay his bill online. Receipt went to his email.
- ii. Well No. 3, the drilling rig has left and another rig was doing sanitization. They began test pumping today and will happen for the next week. We will know how much water we will be able to draw from the well. The BOR money will hopefully come through in September, but the Capital Outlay will probably be held up until February. They are speculating a 100-150 gallons a minute to be pumped out of the well, which exceed expectations and it will be very productive.

b. Councilors

- i. Councilor Wilson wanted to know who graded Los Vallecitos road, Clerk Brown stated that Dominic cleaned up after the monsoon, Councilor Wilson stated the residents were happy with the results.
- ii. Councilor Wilson also stated that this administration responds quickly.
- iii. Councilor Johnson complimented Dominic's work on Pine View. Clerk Brown stated that the culvert on Pine View is slated to be replaced.
- iv. Councilor Y. Garcia seconded what Councilor Wilson said about the team and appreciates the communication. She also stated that residents in the past haven't had comments because they do not know what is going on and if it would be possible to move public comment to the beginning of the meeting. The Mayor liked that idea

and Clerk also stated that it would be reflected on the next agenda. Lastly, she said a huge thank you to the staff for donating time to Ronnie Garcia's memorial service.

- v. Councilor F. Garcia said thank you to everyone who was involved in Ronnie's memorial service. Secondly, he asked when we are going to start working on the PERA issue. The Mayor responded that the attorney is handling it and it is moving forward.
- a. Clerk/Treasurer Update
 - i. Clerk Brown stated that the new Facebook page is up and running, that the summer intern's last day was this week, that the office was working on an application for CARES Act funding, and that a file management project is underway.

16. Time and Place of Next Meetings

THE NEXT MEETING OF THE VILLAGE OF TIJERAS GOVERNING BODY WILL BE HELD ON MONDAY, AUGUST 17, 2020. THE MEETINGS WILL BE HELD VIA A VIRTUAL PLATFORM UNTIL RESTRICTIONS ON PUBLIC GATHERINGS MANDATED BY THE DECLARATION OF A PUBLIC HEALTH EMERGENCY ARE LIFTED.

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.