

AGENDA

VILLAGE OF TIJERAS

COUNCIL MEETING

MONDAY, OCTOBER 5, 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 October 5, 2020.

Join Zoom Meeting

<https://zoom.us/j/92402633182?pwd=b2U4dHAxU2J4bTRHWWc2UTcyWFhZZz09>

Meeting ID: 924 0263 3182

Passcode: 518445

One tap mobile

+16699009128,,92402633182#,,,,,0#,,518445# US (San Jose)

1. **CALL TO ORDER**

Meeting called to order at 6:00

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
Peggy Pohl, Resident
Juan Hernandez, Fire Chief
Hector Casturita
Paula Burns

5. **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.

6. **Approval of Agenda**

The Mayor asked for a friendly amendment to remove items 19 and 20 from the agenda.

A C T I O N	Motion	Motion to approve agenda for 10/05/20 with friendly amendment to remove Item 19 and Item 20		
	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	

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

[Attachment A 092620 Minutes.pdf](#)

A C T	Motion	Motion to approve minutes for 09/26/20		
	Made by:	Y. Garcia	Councilor Johnson-Y	Councilor F Garcia-Y
	Second by:	Johnson	Councilor Wilson-Y	Councilor Y Garcia-Y

I O N	Motion carried?	PASSED	FAILED	

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

[Attachment B Peggy Pohl Water Bill.pdf](#)

[Attachment C Peggy Pohl Water Usage Report.pdf](#)

[Attachment D Pohl Disconnect Note.pdf](#)

The Clerk explained that Mrs. Pohl has an arrearage of \$44.10 on her water account, which Mrs. Pohl disputed in January 2020. The Mayor clarified that the arrearage dates back to January and February 2010.

Mrs. Pohl explained that during the months in question she did not use any water and therefore does not believe she should have been charged.

Councilor Wilson and Councilor Johnson asked if there are other account-holders who are not using water but are being charged the monthly maintenance fee. The Clerk replied there are about 25 such accounts. Mrs. Pohl stated her belief that the meter was left at her property by mistake.

Councilor Johnson noted that the request for utility shutoff did not come until near the end of February 2010, after the two months of service in question had already been billed.

The Clerk explained that Mrs. Pohl has accrued late fees and finance charges, bringing the total amount of the bill to \$70.70. After some deliberation, the Council and Mayor agreed to waive all late fees and finance charges but preserve the original bill in the amount of \$44.10.

A C T I O N	Motion	Motion to waive interest and past-due fees on account #005, reducing bill to original arrearage of \$44.10		
	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	

9. **Council to Review and Approve Hiring of Paula Burns as Temporary Building Screener**

[Attachment E Paula Burns Application Materials.pdf](#)

The Mayor explained that the Village hired Ms. Burns as a Temporary Building Screener using CARES Act funds and with the permission of Council. He added that Ms. Burns is an East Mountains resident and has volunteered at the Senior Center.

In response to Councilor Wilson’s question, the Clerk clarified that Ms. Burns began working on Monday, September 28th.

Councilor Y. Garcia noted that the attached application was for the Meal Site Assistant position. The Clerk clarified that Ms. Burns originally applied for the Meal Site Assistant position but asked to be considered for other employment opportunities, as well.

Councilor Johnson asked about the salary for the position. The Mayor stated the compensation is \$10/hour and that Ms. Burns works part time from 10:00 a.m. to 2:00 p.m.

Councilor Wilson asked how long the position will be filled. The Clerk explained the Village may only request reimbursement from CARES Act funds through December 31st.

The Council welcomed Ms. Burns to the team.

A C T I O N	Motion	Motion to approve hiring of Paula burns as Temporary Building Screener.		
	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	

10. **Council to Review and Approve Hiring of Hector Castruita as Maintenance Technician/Water Operator**

[Attachment F Hector Castruita Application Materials.pdf](#)

The Mayor stated that the Village interviewed five candidates and Mr. Castruita was the best candidate, adding that Mr. Castruita has good references who say he is a hard worker.

Councilor Y. Garcia asked about the starting rate of the position, to which the Mayor replied \$12/hour. Councilor Y. Garcia asked when Mr. Castruita will begin working. The Clerk responded he will start on Tuesday, October 6th.

The Council welcomed Mr. Castruita to the team.

A C T I O N	Motion	Motion to approve hiring of Hector Castruita as Maintenance Technician/Water Operator		
	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	

11. Council to Review and Approve Travel for Fire Department to Pick-up New Brush Truck

[Attachment G Hotel Reservation.pdf](#)

The Mayor explained the brush truck is ready to pick up and he thought it best for Chief Hernandez to drive out in a Village vehicle to pick it up. Chief Hernandez added the vehicle is located in Weatherford, Texas.

Councilor Wilson asked who will be accompanying Chief Hernandez on the trip. Chief Hernandez replied the Fire Captain will be joining him.

The Mayor noted having Chief Hernandez drive to the location is cheaper than flying, as the Village will only have to pay the cost of fuel, per diem, and hotel reservations.

A C T I O N	Motion	Motion to approve travel and hotel reservation for the Fire Department to pick up the new brush truck		
	Made by:	Y. Garcia	Councilor Johnson-Y	Councilor F Garcia-Y
	Second by:	Wilson	Councilor Wilson-Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

12. Council to Review and Approve Quote for Repairs to Fire Department Vehicle

[Attachment H Fire Engine Repair Quote.pdf](#)

Chief Hernandez explained the engine is leaking and the pump is 14 years old. He stated the repairs are overdue. The Mayor added that the funds for the repairs will come out of the Fire Fund and the total amount is \$4064.21.

A C T I O N	Motion	Motion to approve quote for repairs to the Fire Department Vehicle at \$4,064.21 from the Fire Fund		
	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	

13. Council to Consider and Approve Resolution 2020-28, A Resolution by the Village of Tijeras to Create a List of Approved Water Conservation Products

[Attachment J Resolution 2020-28.docx](#)

The Mayor reminded the Council of an earlier discussion about offering an annual incentive for people who install water conservation products in their homes. The Clerk added the Resolution includes a comprehensive list of such products ranging from rain water collection devices to items that reduce usage.

In response to questions from Councilor Wilson, the Clerk explained that each resident can receive a single incentive of up to \$50 per year. In response to a question from Councilor F. Garcia, the Clerk added that residents simply need to bring a copy of their receipt to Village Hall to receive the water bill credit.

The Clerk noted that the Resolution will take effect upon passage of the new Water Ordinance.

Councilor Johnson and the Mayor thanked the Clerk for her work.

A C T I O N	Motion	Motion to approve Resolution 2020-28		
	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	

14. **Council to Consider and Approve Resolution 2020-29, A Resolution by the Village of Tijeras to Institute a Water Utility Fee Schedule**

[Attachment K Resolution 2020-29.docx](#)

The Mayor noted that the Council discussed the Resolution during the Water Ordinance workshop. The Clerk added that the service connection fee is increasing to reflect the current costs of infrastructure and labor. She explained that, per Council's decision during the workshop, the down payment related to the payment plan will be reduced to \$250. Finally, the Clerk stated the Resolution delineates the penalties for misconduct.

The Mayor and Clerk clarified that the Resolution will take effect upon passage of the new Water Ordinance.

A C T I O N	Motion	Motion to approve Resolution 2020-29		
	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	

15. **Council to Call for Public Hearing on Water Ordinance**

A C T I O N	Motion	Motion to call for a public hearing on the Water Ordinance during the 11/02/20 Council meeting		
	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	

16. **Council to Call for Public Hearing on Personnel Ordinance**

A C T I O N	Motion	Motion to call for a public hearing on the Personnel Ordinance during the 11/02/20 Council meeting.		
	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	

17. Council to Review and Approve Quote for Drive-in Movie Set-up

[Attachment L Outdoor Movie Theater System - Silver Package.pdf](#)

The Mayor stated he believes offering drive-in movies would be good for the community and noted that several other communities have offered similar events. He continued that he believes a more permanent setup would be preferable to an inflatable screen and estimated it will cost about \$3,000 to purchase all required equipment.

Councilor Y. Garcia asked how Village staff will regulate the flow of traffic. The Mayor replied Village staff and volunteers will be on-site to direct traffic and will also make use of traffic cones. In response to another question by Councilor Y. Garcia, the Mayor stated he plans to discuss the project with nearby residents and screen movies earlier in the evening to avoid disturbing residents.

Councilor F. Garcia asked about the success of similar events and questioned if the Village should postpone the project until summer 2021. The Mayor responded that an FM radio transmitter will allow visitors to play the film audio through their car speakers, allowing the Village to hold the event through the winter months. He continued that events in other locations have been successful.

Councilor Y. Garcia asked about postponing a decision until the October 19th meeting. The Mayor replied it is his intention to show the first film on Halloween. The Clerk added that, if approved, the project must go before the Planning and Zoning Commission and then back to Council.

Councilor Johnson voiced his support for the idea, stating it will benefit the community and generate revenue for the Village. Councilor Wilson echoed the sentiment.

A C T I O N	Motion	Motion to approve \$3,000 budget for drive-in movie setup		
	Made by:	Johnson	Councilor Johnson-Y	Councilor F Garcia-Y
	Second by:	Wilson	Councilor Wilson-Y	Councilor Y Garcia-Y
	Motion carried?	PASSED	FAILED	

18. **Council to Review and Approve List of Record Destruction per Resolution 2020-27**

[Attachment M Oct 5th Shredding Records Index 2020.xls](#)

A C T I O N	Motion	Motion to approve destruction of records pursuant to Resolution 2020-27		
	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	

19. **CLOSED MEETING: Pursuant to Section 10-15-1 (H) (2) of the NM Open Meetings Act The Village of Tijeras Governing Body Will Convene in a Closed Session for the Discussion and Deliberation of a Limited Personnel Matter**

A C T I O N	Motion			
	Made by:		Councilor Johnson-	Councilor F Garcia-
	Second by:		Councilor Wilson-	Councilor Y Garcia-

20. **Meeting will Reconvene in Open Session**

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

21. Updates

- a. Mayor Bruton – The Mayor updated the Council on projects including the Small Business Grant Program, the sale of the road grader, Cleanup Saturday, Senior Center Phase IV, the installation of a UV light bar in the HVAC system at Village Hall, reopening Village Hall, and transitioning to a government web domain.
- b. Councilors – Councilor F. Garcia asked about the collection of the PERA payments made in error. The Mayor replied the Village’s law firm sent out demand letters.
- a. Clerk/Treasurer Update – The Clerk noted she is attending a procurement class for the rest of the week to become the Village’s procurement officer.
- b. Deputy Clerk Update – The Deputy Clerk provided brief updates on the status of ongoing audits of the personnel files and water accounts.
- c. Fire Department Update
[Attachment N September Minutes.doc](#)
- d. Senior Center Update
[Attahcment O VILLAGE OF TIJERAS CENTER OCTOBER 2020.docx](#)

22. Time and Place of Next Meetings

THE NEXT MEETING OF THE VILLAGE OF TIJERAS GOVERNING BODY WILL BE HELD ON MONDAY, OCTOBER 19, 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.