



AGENDA
VILLAGE OF TIJERAS
COUNCIL MEETING
TUESDAY, FEBRUARY 22, 2022 AT 6:00 P.M.
COUNCIL CHAMBERS

1. **Call to Order**

Meeting called to order at 6:06 by Mayor Bruton

Please turn off cell phones or set to silent mode

2. **Pledge of Allegiance**

Mayor Bruton led attendees in the Pledge of Allegiance.

3. **Roll Call/Determination of Quorum**

JO	X	MA	X	MW	X	YG	X
Quorum present		Yes	No				

4. **Introduction of Guests**

Hallie Brown, Clerk
 Nicolas Kennedy, Deputy Clerk
 Rita Rivera, Senior Center Manager
 Bill Zarr, Village Attorney
 Casey Cook, Molzen Corbin
 Cindy Schreiner, Community Member
 Linda Armenta, Resident
 Jimmy Chavez, Resident
 Sharon McMahan, Community Member
 Marley Voyles, Community Member
 Wayne Meagher, Community Member
 Constance Vanderburg, Community Member

David Wilson, Resident
 Marie Wilson, Resident
 Pam Vaughn, Community Member
 Jerry D Vaughn, Community Member
 Robert Schick, Community Member
 Jon Schreiner, Community Member
 Sandra Lee, Resident
 Micah D. Gatz, Community Member
 Stephen McMahan, Community Member
 Will Voyles, Community Member
 Sherry Meagher, Community Member
 Terri Gore, Community Member
 Thomas Weaver, Community Member

Shelley Weaver, Community Member	Julia Beach, Community Member
Ernest Barnes, Resident	Remos Killian, Community Member
John Beach, Community Member	Daniel Dunn, Community Member
Sterling Beeson, Community Member	Tim Strucker, Community Member
Monica Garcia, Resident	Patty Wilber, Community Member
Gary Gunville, Community Member	Jesus Hernandez, Community Member
James Wilber, Community Member	Michael Sisneros, Community Member
Gilbert Sanchez, Community Member	Marcus Armenta, Resident
Phil Roberts, Resident	Matthew Armenta, Resident
James Butterbaugh, Community Member	Talia Freedman, Community Member
Sandra Wylie, Community Member	Pete Vallejo, Community Member
Maria Hernandez, Community Member	John Romer, Community Member

5. **Public Comment**

Public comments for this meeting have been transcribed verbatim with the speaker indicated before the text of the comment.

Robert Schick: “I live at 133 Rincon Loop, which is on the north side of Rincon Loop. I bought a HUD home in October of 2018. I’ve been working on it ever since. I’m 65, I just retired last year. Roof work, painting, windows, doors, you name it. I do the work myself. I’m on limited income. The house was built in ’76. It doesn’t have a functioning well. I would have to drill another well. I cannot afford to drill another well. The enhancement of having city water that is clean and soft, to my house, would be a great enhancement. I could afford continuing to live there. I would appreciate your positive vote. Thank you.”

Cindy Schreiner: “I want to start by thanking you guys for coming. To the Village Planning and Zoning Commission, the Mayor, his staff, and Village Council, we appreciate you and thank you for considering the annexation. We hope you embrace the idea and choose to move it forward. My husband and I have been residents of the Rincon Loop area for 33 years. I believe I speak for a lot of the residents when I say the Village has already been a big part of us. For many years I thought we were part of the Village. We use your MVD—thank you—we use your library; we use your roads. We are friends with your friends and families. Our kids grew up together. In fact, Jonathan Ortiz, one of our Councilmen, I don’t know if he remembers but I used to volunteer in his kindergarten class. My son and him starred in Santiago’s production of Beauty and the Beast. Anyway, I feel like we are already neighbors. Let’s make it official. I truly believe this would be positive for both the Village and us. We would love to get on the water, of course. But we would also love to see our tax dollars go local and be spent locally, instead of going to Bernalillo County’s big pot, where we don’t know where it will be spent. Thank you for your consideration. If I have time, I am going to read for someone else who couldn’t be

here. Sandra Wylie, 26-year resident. 15 Shade Tree Lane. She says thank you for considering the annexation of Tijeras Land Estates/Rincon Loop Neighborhood. I am in full favor of annexation and believe it will be a positive improvement for our neighborhood. Thank you guys. Appreciate it.”

Linda Armenta: “I’m a Village resident and have been for about 35 years. My husband was born and raised here. We got funding in the last administration for our new well because we were having trouble with the wells that were presently used. The water system that we have, we need to have this resource for the present residents. I sympathize with all of you in Rincon Loop. Moving out to the East Mountains, that’s one of the biggest problems is the water issue. This is what people need to think about. We need to think about our present residents and our children, and my grandchildren and great grandchildren. They’re all going to be out here. We need our resources just to remain present to the residents that are here. Also the maintenance crew that we have, there are only two. I talked to Heidi about a year and a half ago about different issues that are going on the Village. She said we are going to hire more maintenance crew—I have not seen that happen yet. The two that we have are wearing thin, and so we need to think about hiring and more crew and taking care of our residents that are within the Village now. I have talked to several other residents that were not able to make it here, and we are not for this annexation. Thank you.”

Sandra Lee: “I’ve been a resident of Tijeras for 82 years going on 83. And I do know that water is our biggest problem. And I do know that they used to import water into that first tank... the well was drilled right behind my house. Water is the thing. It’s gonna be all over the world. I want to keep our water and I want to see our people that work for us to keep everything going on an even keel. I’m proud of this. I’m proud of Tijeras. I’m proud of the community, but my main problem with the water is: how are we going to...? Are we going to import more water in for Rincon Loop? Where are we going here with this? Where are we going to get that water? I have a well and I am still on it, but I have quit watering all my grass. I have trees that I am trying to keep alive. They are big trees. But, our water. If we input our water into Rincon Loop, what are we going to do? We are going to have to import water? It will have to come from somewhere else, like maybe Entramosa. I know that the water up at Rincon Loop is stinky. I know that. It’s stink and hard. I know that. Thank you.”

Jimmy Chavez: “Good evening my name is Jimmy Chavez. We have concerns on this annexation. We have not seen any data to support this. I know that meetings were being held at the Village. WE were not aware because we were not invited. I wonder if the Council itself was aware and if they were invited. We want to know how this annexation will benefit the Village. We want accurate, written on paper, how it will affect the Village.

How many residents are they? Do we have any figures of how many residents? How many businesses? What will the gross receipts be? What are the Rincon Loop residents expecting from the annexation? We don't know what they expect. The Council needs to remember that Well No. 1 is not viable any more. We are back to two wells. Will another well be built to support the annexation? What are they going to do? Infrastructure has been in place now—we have here in the Village—for over 35 years. It is coming close to replacement of all the infrastructure. We're talking here—it's gonna cost millions of dollars. We need to think about where that money is going to come from, and who is going to get it first, or whatever. In the last annexation, we were sent a letter. Why were we not notified about this meeting through a letter? We as residents want letters of any future meetings.”

Sharon McMahan: “Good evening everyone. We live at 94 Shady Oak Circle. I will say that we are for the annexation. We have lived here for over 23 years. We consider ourselves residents of Tijeras. We live here. Our mail comes to Tijeras. Our children grew up here—went to the same schools as your kids. Attended school with some of the children—or adults, I should say—here in the room. As far as the positive. The positive coming from the Village side to us. We become officially residents, instead of just in our minds. The positive we bring: there are several of us on a water system that is already self-sufficient over there. It supplies several of the houses over there. It is not bad water. There are a lot of positives that need to be looked at overall. Bringing to the Village gross receipts tax that is spent and goes to Bernalillo County. But it can help fix your roads, our roads. It can help hire, for everybody here, to do whatever it is we need. One of my good friends that lives literally a block away is a resident. I'm not. She's for it. She's been my neighbor for 23 years. Kind of funny to say she is a resident and I'm not. I literally walk 100 steps to knock on her door. We appreciate the consideration. I know there is a lot to be considered. Thank you for your time. I think it should be looked at from all sides.”

Steven McMahan: “Thank you, she covered for me.”

Marley Voyles: “So my husband Will and I have lived at 126 Rincon Loop for just two years now. Like some of the ladies in front of me said, we didn't know that we weren't in the Village when we bought the house. We knew it was in Bernalillo County but didn't realize it wasn't in the Village. And like the ladies in front of me mentioned, we feel more apart of the Village than the County. We moved out to the East Mountains from Rio Rancho because the Village shares more of our intrinsic values than Albuquerque metro, which is kind of representative of Bernalillo County. So like some of the ladies on the other side of the room mentioned, water is an important issue. But I also think the only future involves growth. That involves your land size and your population growth. The more tax base you have, the more incentives in the future that go along with that. We want

to be contributors; we want to be participants of the Village. We share your values. That is why we are here. That's all I have to say. Thank you."

William Voyles: "We bought the property two and a half years ago. We've sunk pretty much everything we've got into this, fixing this place up and making this property much nicer than what it once was. One thing that people on the other side might want to consider, just like my wife is saying, you said that the current well is... probably needs to be replaced. It's 30 years old. If you have a larger tax base, it's going to flow that money into making those repairs. It's gonna happen at some point regardless. Our well, like this gentleman up here, our water is awful. We can't use it to drink. I wouldn't feed it to my dogs. I'm constantly going through filters left and right trying to keep it going, and getting so much sediment. Just like this gentleman, we've dumped all this money into fixing the property up. I don't know if I can even afford a re-well."

James Butterbaugh: "I signed the wrong sheet."

Remos Killian: "My wife and I live at 59 Shady Oak Circle. We've been there since 1997. We do support the annexation. My wife recently became disabled, so on top of all of her medical problems, having to worry about water and the quality would be one more thing that I wouldn't sleep at night. So I hope you will support us in this effort."

John Beach: "I'm John Beach. I've lived on the north side of Rincon Loop with my wife, Julia, for the last 28 years. We raised our son here. We're in favor of the annexation. We look forward to being part of the Village, with all of its benefits and responsibilities. Thank you."

Sterling Beeson: "Thank you Mayor. So, my name is Sterling Beeson. I was one of the ambassadors, if you will, for this effort on the Rincon Loop annexation. I have a few additional details about how this transpired. We started by drawing an original map that encompassed the entire Rincon Loop area. This came to 231 parcels, of which 68 were already a part of the Village of Tijeras. This left 163 parcels. From there we began door-knocking, giving the information out. This was all a fact-giving adventure. And then afterwards we went forward to ask what their response was to that, whether they were in favor or not. Here's some of the tallies that came from that. We had 13 parcel owners who were not in favor, six of which were on the exterior areas. We were able to draw the petition region to not include them. There were three properties that were not residential. Sixteen properties remained undecided after receiving information. We could not make contact with 32 properties. Eighteen of those were vacant lots. A lot of the owners lived out of state and just didn't respond. This totals 64 parcels that did not speak up in favor. This left the remaining 99 parcels who were in favor. 94 signed the petition. 5 were

verbally in favor but, for one reason or another, we did not get their signatures. So if you look at it percentage-wise, the ones that we did contact and were part of the petition region, 6% were against, 13% undecided, and 81% in favor. So I say all this to make the point that an overwhelming majority of this neighborhood do desire to be a part of the Village of Tijeras, as you can see with the turnout tonight. We enjoy East Mountain living; we enjoy being part of this community. We are excited with the prospect of having more of our tax dollars support all of us. Not just the Rincon Loop region, but the Village as a whole. Thank you.”

Gary Gunville: “I’m Gary Gunville. I live at 65 Shady Oak Circle. I’m in favor of annexation for all the same reasons as the majority of people. I would really like to see my tax dollars stay right here. I know it goes all over the place, all over Bernalillo County, but I would really like... We use the services of Tijeras and I would like to be able to pay for those services with my tax dollars, so that is something I would really like to be able to do.”

Patty Wilber: “I’m Patty Wilber. My husband Daniel is here. We live at 166 Rincon Loop. We’ve lived there since 1997. We have a well that works fine, but we would still like to be part of the Village. We have 34 acres that we would add, tax-base wise. Not an insignificant amount. Our children did go to local schools and grow up here. We tried to annex when we first moved here. That didn’t work out very well, and we’ve always been disappointed. We want to be part of the Village. We also are joiners, so we can help.”

Jesus Hernandez: “I just wanna say hi to everybody. We are here for the same thing. Steve—he’s my neighbor here. He has been trying to explain all this to me. I like the idea, the whole idea, what we are here for. That’s all I got to say. Thank you guys.”

Phil Roberts: “My name is Phil Roberts. I live at 15 Melissa Lane. I am a resident of the Village and very happy to be a resident. My wife and I built our first house on Rincon in 1976. Math works out to be 46 years. The point I’d like to make is that for the first 26 years, we were not Village residents. Active in the area, sending our kids to school, so on and so forth. As time went on, we felt an affinity with the residents in general. We annexed into the Village back in 2000. More or less, I think that’s correct. WE experienced the Village government since then. I’d like to make a point that, so I have experienced both groups, the Village operation and government and my own neighborhood, which is primarily Rincon Loop area. Both groups are awesome people. We have really dynamic individuals, wonderful people. Well-grounded. With everything in common. So at this point, I’d like to say that, in my mind, there is only the question of whether or not we as a Village want to allow the people in the Rincon neighborhood to have representation on this side of the mountain. That’s really what it comes down to. Thank you.”

Mike Sisneros: “Mike Sisneros. 86 Shady Oak Circle. Moved in in 2003. Retired from the City of Albuquerque after 20 years. IW as real excited when they put in the hydrants and stopped about half a mile from my house. I guess that was a couple years ago. I thought we were going to have some Village water. I don’t really need to restate what everyone else has said, but it is a long time coming and it is really frustrating for us.”

6. **Approval of Agenda**

A C T I O N	Motion	Motion to approve the agenda for 02/22/2022		
	Made by:	Garcia	Councilor Ortiz-Y	Councilor Armenta-Y
	Second by:	Wilson	Councilor Wilson-Y	Councilor Garcia-Y
	Motion carried?	PASSED	FAILED	

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

[Attachment A 020722 Draft Minutes.pdf](#)

A C T I O N	Motion	Motion to approve the minutes for 02/07/2022		
	Made by:	Ortiz	Councilor Ortiz--Y	Councilor Armenta-Y
	Second by:	Armenta	Councilor Wilson-Y	Councilor Garcia-Y
	Motion carried?	PASSED	FAILED	

8. **Council to Review and Refer ZA 1151 Rincon Loop Petition for Annexation to Bernalillo County Commission Pursuant to Section 3-7-3 NMSA 1978**

- [Attachment B Rincon Loop Petition for Annexation Full-Submission-compressed.pdf](#)
- [Attachment C Rincon Loop Petition Certification.pdf](#)
- [Attachment D Rincon Loop Annexation Zone Maps.pdf](#)
- [Attachment E 012622 Draft Minutes.pdf](#)

Mayor Bruton: “I am in support of this annexation. I think it’s a good thing for our community. I think it’s a good thing for our Village. This is the first step on a very, very long process to a completed annexation in Bernalillo County. Bernalillo County is considered a Class A county, so they have some particular stipulations regarding annexation. They have to give approval to this community. One of the only counties in the state that requires that. I believe it was because Albuquerque was sucking up all of the available real estate in all of Bernalillo County. That being said, as soon as this is discussed, approved, or not approved but recommended to go to Bernalillo County, it will go their zoning process, go through their Commission process, and come back to the Village of

Tijeras to call for public hearing. Much like tonight, but in a quasi-judicial situation where there will be Q&A, there will be deliberation, there will be discussion across this body. At which point, if approved, an ordinance will be enacted. How many days later does an ordinance take effect, Bill? Thirty days?"

Bill Zarr: "That is the window for appeal, 30 days from the date of the filing of the ordinance with the County Clerk."

Mayor Bruton: "Exactly, so that's kind of the long, drawn-out process there that will take place depending on the outcomes of this meeting and most likely many, many other meetings. It will not happen tomorrow, if anyone is concerned about that. It will take a considerable long time. Best case scenario, if everything goes as smooth as glass, we are talking September... August, September, October timeframe. If everything goes as smooth as glass. Bernalillo County has some other stipulations, of course, that will be facilitated by this staff to assist in processing the application. It's not a tomorrow thing, guys. As far as tax dollars go, it definitely will have an increase in tax dollars. By my view, we will gain property tax, of course, which—everyone in the Rincon Loop area—your property tax will go up by a marginal amount. We've got preliminary numbers that, for every \$100,000, it is anticipated to go up... \$20?"

Nicolas Kennedy: "I can find that information but I don't have it in front of me."

Mayor Bruton: "Yeah. It's not in front of us, but that's the anticipated increase. Of course, there will be no property tax increase for Village residents who are already living under the municipality tax code. That would be one increase. Gross receipts tax, of course, for any home-based business located within the Rincon Loop area. Any businesses there, much like many businesses we have here, for example Duprees Trees... It is a home-based business that pays taxes right out of their home here in our community. We utilized them in our most recent tree-trimming program or endeavor to make sure that our roads are safe, clear of debris, clear of trees, things like that. Also we will be getting tax in the form of point of sale, which was passed by the legislators about a year ago now, I think it was. Which is the internet tax. We have seen increase in the Village of Tijeras in our GRT from that. I'm guessing that there are a couple of people in the Rincon Loop area that purchase things through Amazon, and Walmart, and Chewy and so many other internet-based services. We would definitely have an increase in GRT from that as a windfall. As far as our current water situation here in the Village of Tijeras, we have three wells: Well 1, 2, and 3. Go figure. Very witty names we have for them, there. Well 1 is an aging well, that is for certain. It is producing the lowest amount of water that we have. The water operators that we have currently feel as though it can be rehabbed. We are in discussions and planning to rehab that well as soon as Well No. 3 comes online. So Well No. 3 of course is the one that everyone can see from 66 as they drive by, all that construction that's been being done at North 14 and Highway 66, or 333 and 14. Right there at Primera Agua. That well is a substantially good well for production. That well could sustain this community virtually all on its own, and many, many more residents all on its own. Well No. 2 has recently been revamped a bit. We put a new pump in it, we put new pipe in it. It produces fairly good. It is not nearly as good as Well No. 3, but it definitely produces quite well. The

infrastructure—we have been improving it over the last two years to the point where we... Casey can speak to this a little bit and I will give him an opportunity... we have definitely been working on maintaining and improving our infrastructure, adding things like SCADA systems to it. Just making it a good system. There is, as many residents have stated here tonight as well... or, not residents yet... there is a well and a water system in the Rincon Loop area. IT is currently supplying I believe about 58 homes. Their well produces quite well. The topic has been brought up for the acquisition of that well. It is something that would be into a negotiation in the future, which I don't feel particularly comfortable speaking to in an open meeting like this, because we would have to negotiate. It has been stated a purchase of it. It would be more of an acquisition. It would require, of course, an analysis of the system. Determining how valuable it is, how invaluable it is. What needs to be repaired. How productive the well is. All those kinds of records that that small coop over there has. As far as water goes, we would definitely have a sustainable amount of water. That being said, I will let Casey speak to it a bit. We have roundabout 50-acre foot of water; I know there are somewhere close to 30-acre foot of water in that system over there. I know Casey can speak to the particulars of it and how we would be impacted by water use.”

Casey Cook: “Thank you Mayor. Just talking about what the Village, as it stands right now, utilizes in terms of water quantities. You have a population of about 320 last I looked, it may have fluctuated lately. On average...”

Mayor Bruton: “546 residents but 321 water customers.”

Casey Cook: “Thank you for clarifying that. 320 connected. Those folks utilize or take about 30,000 gallons per day on average. That comes out to about 30-acre feet per year. You've probably heard this 100 times but I'll say it again: an acre foot is about 325,000 or 326,000 gallons of water. If you had an acre of land and you put a foot of water on it squared, that is what is an acre-foot is. Farmers came up with the term because it makes sense to them, because they're watering crops. We use it for volumes nowadays. On average, each person uses about 94 gallons a day. So if we project those out and assume that the Rincon folks have a similar usage—they may not, cause many of them have been struggling with lousy wells, but we'll assume they do anyway—I believe the numbers were roughly doubling the population to add Rincon. So we would expect about twice the amount of water used. So, production. Right now, and I just checked with the operators. Well 1, we've expected that well to die for many years but it seems to be chugging along pretty nicely at 10 gallons per minute. It can put out 10-acre feet a year. That's not bad. That's about a third of what the Village needs and delivers. Well 2 is a little over 20 gallons. It puts out about 20,000 gallons a day, about 20-acre feet per year, and it takes care of 2/3 of the Village's needs. Well 3, when we drilled it... For one thing, we went twice as deep as the current well, because we wanted to make sure there was a very tall water column in the well so that as it declined over time and fluctuated with drought and wet periods, that we would not face the prospect of it running dry. It was tested at 90 gallons a minute, which is essentially three times what the other two wells can do combined. So it is, as the Mayor said, it does have the capability to cover the entire Village and then some. Adding all those wells together, you have the capability to produce something in the neighborhood of

120,000 gallons a day. Well above the roughly 60,000-70,000 gallons a day that the combination of Tijeras and Rincon Loop would use. As far as water rights go, the Village currently has about 50-acre feet of water rights and they use about 30. Adding Rincon onto the system would roughly double that demand. Fortunately, the Rincon well has water rights with it. If the Village can and does acquire that well and the water rights, and can and does move the water rights into their own system, then there should be adequate water rights.”

Mayor Bruton: “As our water engineer for the last 10-15 years, our current infrastructure with the modernization of SCADAs and replacement of PRVs, all that kind of stuff that we have been doing in the most recent past... how does it look as far as what we are going to have to be maintaining? Is it going to sustain itself? I mean, we don’t need to replace all the main lines or anything like that, right?”

Casey Cook: “No. You’ve got a very new water system, which has been installed just in the last... I guess we’re coming up on 20 years. Many systems are pushing 40, 50, 70 years in this area and in Albuquerque, in Santa Fe. Out east of here in Moriarty. So it is a pretty young system, mostly because the Village relied on domestic wells for many years before funding was found to start building a water system to serve the residents. So no, the standard maintenance of keeping the pumps running... There are four booster pump stations that require maintenance. There’s two water tanks. Someday there will be a third that will require maintenance. I haven’t looked at what the hydraulics of moving water to Rincon look like, there may be the need for additional boosting capabilities. Perhaps the boosters up there may be able to take care of at least part of it. What you have right now, especially with the operators you have taking care of it on a regular basis, I don’t think it requires any major overhaul.”

Councilor Wilson: “Will we be able to ask Casey any questions that we might have?”

Mayor Bruton: “Absolutely. I want to run through this list of stuff I have written down first, make my statements, and then I will definitely be turning this over to Council to ask questions, make statements, whatever they would like. As far as what kind of benefits there are to the community, again, it will be a larger tax base. As far as I can tell, there’s not much commercial property left in the Village to gain tax off of. To get onto the tax rolls. To try and develop out our community. Currently, we generally do projects and spend money when we get capital outlay, infrastructure money, grant money, things like that. Which of course we will be continuing to receive and continuing to apply for. But as far as the benefits, the water system is an asset that the Village will be potentially gaining, for sure. We pick up the entire tax base. The infrastructure seems as though it is sustainable at this time. Hiring of a maintenance person or more employees for the Village... the reason we don’t have hundreds of employees is because we don’t have the tax base out of general fund to supply that. With the onset of annexation of Rincon Loop, that would create, like I’ve stated previously, many many funding pools or funding resources to come at the Village and enable us to hire new employees, to hire new maintenance people, to not only maintain the areas of Rincon, but better maintain the areas in the current Village. AS far as the importing of water. We did absolutely use Entramosa when we were doing that

importing of water. That was because of mismanagement of the system. That was because it wasn't being monitored correctly. That was because our water operators weren't verifying that things were working correctly and addressing issues when they were coming up. At this point, we've remedied those problems. I in no way, shape, or form see that we will be importing water in trucks, filling this tank back up on the hill behind us or the other tank, in the future whatsoever. We are diligently maintaining this water system, this utility, to ensure we are providing fresh, clean drinking water to this community. To our residents. It's been, as Casey stated, a complete transition from where we were to where we are now. We've revamped our billing systems. We've put SCADA on it and modernized our systems to where we can monitor it right here. From my phone, sitting in this meeting. The operators don't give me control over anything. I Can tell you how much water is in our tanks. When I took over, our water operators were using binoculars to see how high the tanks were. They'd go up, they'd turn them on, they'd go about their business over the course of the day, and then they'd look up at the tank periodically. They regularly overflowed the tanks. It was just not an efficient system. It was wasteful of water, stuff like that. So as far as importing water, I don't see that in our foreseeable future at all. Period. As Casey has stated, we have more than enough water to produce, to store. We keep our tanks full on a regular basis now. Not half-full, not a quarter-full, not three-quarters full. We keep our tanks full, okay? Which is, if acquired, that other water system, the same thing we would do with that tank. We'd keep it full. Moreover, just for fire protection. We do live on this mountain. There's a lot of trees around just about everybody's home here. We need that water availability in case of a fire. Again, today's vote is just to send this to Bernalillo County for review and referral. This annexation is not approved tonight, guys. I believe my attorney sent me this note. A public hearing is not quasi-judicial. Bill, do you want to expand on that?"

Bill Zarr: "Yeah, so... the hearing that you spoke of, Mayor, is not quasi-judicial, a hearing where the Council would be acting kind of as a court. The council continues to act as a legislative body. This sort of a decision, down the road, on an ordinance of annexation, would be a... it's a legislative action by the Council. The Council members are entitled, certainly, to take positions on annexation, or not, which is different from quasi-judicial, where you're supposed to be open-minded. Nevertheless, the public will still be given the opportunity, under the public hearing portion that will precede the ordinance, to voice their concerns or approval, or whatever. Just to clarify that, so there is no expectation... Unlike other types of annexation forms that might be more quasi-judicial, this one is not. This is a pure petition that these residents are asking for."

Mayor Bruton: "One more thing regarding the water system. In the last two years, when I took over this administration, we had been subsidizing the water system. It had been that way for at least the last 15 years or so. That's where we're taking money right out of general fund and putting it in the water system to keep it alive, keep it sustained. Through rate hikes and regular maintenance and monitoring of the system and where our water was being lost from, we have gone from spending around \$20,000, down to around \$10,000 or \$12,000, down to this previous budget year spending \$4,000 to subsidize this system. If the Rincon Loop annexation goes through, most certainly it will be the turning point where this system stops being a burden on us... Aside from raising, raising, raising costs of our water... It will

almost certainly be the turning point where the system begins to sustain itself and become a revenue stream for the Village of Tijeras. As far as I can tell, that's another benefit to where we're not spending our general fund monies to sustain the system."

Deputy Clerk Kennedy: "I just thought it might be helpful to reiterate that this is the first step in fairly lengthy process, most of which is laid out for the Village by state law. We don't have a great deal of control over how this petition proceeds. For it to go to the County for review is a matter of state law. We don't have control over that. Every step of that process will include the opportunity for public comment. Everybody in this room, any current Village resident, any interested community member of Bernalillo County will have the opportunity to speak at the meeting of the Bernalillo County Planning and Zoning Commission, have an opportunity again to speak at the meeting of the Bernalillo County Commission, and finally have an opportunity to speak here at the Village Council public hearing, when the ordinance for annexation comes before this body. I also, because it came up during public comment, would like to note that when we reach that point in the process, when this petition comes back to the Village Council to be acted upon as an ordinance, the Village will, in accordance with the requirements of state law, be sending notice by certified mail to everyone who lives within 150 of the proposed annexation area. That has to do with the sort of action that this is. There will be ample opportunities at every step of the process for individuals to make their voices heard. We will be in further communication with Village residents and members of the community about when those steps are taking place."

Mayor Bruton: "Thank you, Nick. That is a very good point, that it is all per state statute. I wanted to make sure this came before this body for transparency reasons. The group that put this together, they don't even particularly have to bring it to us. They could have taken it straight to Bernalillo County, per state statute. They don't have to bring it to this body. But when they proposed it, I said let's get it moving and bring it before our Council, bring it before our Zoning, that way they have a look at it. They can ask their questions, have their concerns, before it is taken to Bernalillo County. With all that being said, I will open this up to my Council. Are there any questions or comments?"

Councilor Wilson: "One of the things I wanted to ask Casey is... some of these people are using domestic wells. Are they in the same aquifer that our Village... I don't know much about all that kind of stuff. I might be asking stupid questions. I'm just a lady that doesn't understand all that."

Casey Cook: "When you ask that question are you speaking to people who are in the Village right now?"

Councilor Wilson: "Everybody."

Casey Cook: "I'll start by saying I'm not a hydrogeologist. I hire a guy to do that thinking for me. But I have worn that hat in the past, so I'll try to speak carefully around what I can speak of. This area is highly complex. Tijeras Canyon is one humongous fault. Things are fairly chopped up. If you walk around, you can see a lot of different types of rocks. There's granite, much younger red rocks, and then there's sediment that falls on top of all of it. The two wells that preceded Well 3, Wells 1 and 2, are fairly shallow. They're drilled into bedrock aquifers that consist of the younger, not young but younger than the granite,

limestones. They're a little bit up into the hills. One of them is right up here. They probably do share a lot of the shallow domestic wells in terms of just that fracture network that they pull water out of. Now, our new well is 600 feet deep and it is going quite a bit deeper into that same body of rock but drawing from hundreds of feet below. Do they communicate with each other? Water moves through rock over short and long periods of time. Years, thousands of years, hundreds of thousands of years. So yes, they do communicate. But the question is, when you draw from that depth, will it affect the shallow aquifer? Yes. But probably over long periods of time. How long, I don't know. I haven't really done a calculation like that. But there is a great deal of rock between those points that isolates the shallow domestics that most people drill from the deep production well, municipal well, that the Village drilled. Does that answer your question?"

Councilor Wilson: "What I was kind of getting at is, they're drilling from the aquifer anyway. Right? Except that if they are annexed into the Village, they'll be using our water that we have and paying us for it. So that would be a benefit to the Village, because then they're going to be spending money for a better quality of water, but also water that's not going to be overused, because it's still water that's in our aquifer."

Casey Cook: "Yeah, I think I hear what you're saying. They would stop using their well and start using yours."

Councilor Wilson: "And it wouldn't be an over-use of our Village water because they're using it anyway."

Casey Cook: "Restate that. I'm not sure."

Councilor Ortiz: "I think she's asking like if Rincon Loop is on the same aquifer as us, that they're using the same water either way."

Casey Cook: "Yeah. I think that's a true statement. How long those two wells... this well and their wells communicate with each other, is a question."

Councilor Wilson: "So that's kind of what I was getting at. If they're using the water anyway, then it's not really draining our well."

Casey Cook: "Yes, I think that's a true statement. They stop using the well that they're using, and start using yours, it's a tradeoff."

Councilor Wilson: "And then the other thing, too, and this, Mayor, I'm going to ask you all, is they talked about, they being the audience, they talked about our water operators maybe being overwhelmed. But we also hire an independent company to work on our wells. So it is not really overbearing our water operators. I'm sure when it comes to the point that they're going to need more whatever, we'll have the money because we're getting some money."

Mayor Bruton: "That's a very good question. So, yeah. Early on, we contracted water operation out because it ends up being cheaper overall than retaining a full-time benefits person, or two full-time benefits people. It's more efficient. It gets taken care of frequently. It seems like that. They are in no way overwhelmed with our current system. I believe the company that we contract with has the capacity to move up into easily covering another area over there. So yes, we should be fine."

Councilor Wilson: "Really, that's the only questions I have right now."

Councilor Ortiz: “I have a couple of questions. I have a bunch, but I’ll just shoot off a couple. So, Casey, do you happen to know what Well 1 was producing initially when we dug it, and what was the life expectancy of that?”

Casey Cook: “I.. It was producing somewhere in the neighborhood of 50 or 60 gallons per minute.”

Councilor Ortiz: “And that was 20 years ago?”

Casey Cook: “That sounds about right. And it was... to my knowledge, I don’t know that it was tested other than a short duration pumping test. I’ve never seen any data that says they ran it for a few days. What you do with a well when you drill it—it’s hydrogeology stuff—you drill the well, you build it, you set a pump in it. You run that pump and watch how water draws down as you’re pumping. You can draw that curve over time. The shape of the curve tells you quite a bit in terms of, as the cone of influence or cone of depression—you may have heard this, it’s not a psychologic term, it’s actually a hydrologic term—it... as it kind of reaches out, it kind of feels how much water is available to the well. When you shut it off, it continues to spread out. You can watch how the water comes back up. That shape also tells you what kind of sustainability you have. I don’t know if that was done. I’ve never seen the data. But as we’ve operated Well 1, it’s become quite clear that that reach is short. It’s a small fracture system. Having a hydrogeologist on the Well 3 job, he tested it to those kinds of standards. Where he ran it for a full day and let it recover for several days. He watched the shape of the curve as that water went down and came back up, and concluded that he doesn’t see anything but a fairly large body of water that the well is going to draw from, without the kind of boundaries and walls and lack of connection to a large source that we saw...”

Mayor Bruton: “Casey, just to kind of piggyback off that same question, it’s my understanding, and I’m not positive of this, you may have a little more institutional knowledge of it, but Well No. 1, after it produced for a while, there was some sort of geological occurrence where it went from producing around 50-60 down to producing only about 20-25, almost overnight. Is that correct? Do you recall something along those lines?”

Casey Cook: “There was a lot that went on with Well 1. Some of it had nothing to do with the aquifers. Pumps failing, clogged screen. It was kind of convoluted, it was a little bit before I came into the picture with Molzen Corbin. It was on its way toward a much lower production when I started working with you guys. It was apparent that it dried out its fractures. They were not in communication with any reasonable source of water. The last one that is remaining seems to be pretty sustainable. 10 gpm. You’ve been running it that way for at least three years, if not longer, it doesn’t seem to want to diminish any further than that. It may have just reached its sustainable capacity at 10, and is holding steady.”

Councilor Ortiz: “To piggyback on my first question, so potentially Well 3... do we have any studies showing or is there a way to check that this aquifer should produce this much water for x amount of years or is that kind of a shot in the dark?”

Casey Cook: “You can, and what I described earlier with that test gives you a fairly... a pretty good idea and a fairly high level of confidence as to well sustainability. The hydrogeologist felt confident to recommend a 90 gallon per minute pump in that will, which will only get used for a fairly short time each day, because you don’t need that much water in the Village or in the expanded Village. But his recommendation of 90 gallons a

minute, he expected that to project out for decades. So to answer your question, yes there was a study done. Yes, it is published. It was the basis for what we designed.”

Mayor Bruton: “Casey, to piggyback off that one a little bit, what I recall, because I was intimately associated with that, was Schumacher and Associates did the testing, they did a 24-hour stress test pumping on it, pumping at the highest capacity they could possibly pump, and that cone of depression that you were talking about they said that it barely bumped in and then stabilized and stayed that way for the rest of the 24 hours.”

Casey Cook: “It did. And then on recovery, and that’s when you shut off the pump and the water level comes back up, the signal that that gave, the shape of the curve that they charted out over time, added to their confidence that it would be a sustainable source...”

Councilor Ortiz: “So it is twenty years that they’re anticipating?”

Casey Cook: “At least 20 years. It’s hard to project decades upon decades with a few days of testing. But there is a pretty high level of confidence that this well will produce that for decades.”

Councilor Ortiz: “As far as Rincon Loop’s water system and their current supply lines, do we know the condition of those? Have we had a study done or anything? If we take over or if they incorporate with us and their pipes are all going to be bad in a year or two, I’m not saying that’s the case, but hypothetically... that’s a concern I think we should maybe, if we haven’t looked into, look into. I don’t know if you have an answer right now.”

Mayor Bruton: “I have a bit of an answer, yes. It’s a very good question. I remember my other one for you Casey, so hold tight. The assessment of the system is going to cost... it’s not going to be super cheap. We will have to hire a third-party individual or group to come in, assess their tanks, their infrastructure, their PRVs, their well, all those things. It’ll be pricey. Without them being part of our Village. I’ve made the statement that we can’t enter into any serious negotiations, and we definitely aren’t going to be spending our funds to be doing that at this early, early stage. If they become part of our Village, we have water to sustain them with or without that well. Of course, it would be fantastic to gain all of that asset. It’s currently operating just fine and has been for a very long time. Certainly, it will need improvements like the ones we have been putting on our system, SCADA, new PRVs, things like that. Digital reads. Many, many things like that. Which will all be taken into account in an assessment of the system to determine its value versus what we would be willing to accept. Does that answer your question?”

Councilor Ortiz: “Kind of. I’m talking more like water supply lines, going from resident to resident. Age, materials, just all that stuff I think would be good for us to know before... Just one way or the other.”

Mayor Bruton: “Yeah. We have, like I’ve stated before, tons of time to find that out. I mean, we can even put it to this Council for an approval of getting an assessment beforehand. What I’d like is to split the assessment fees. Even if this is passed on to Bernalillo County at this point, we have until September, October, somewhere in there... August, September, October, to get that analysis done. What I’d like, which is kind of hard because that will put us into negotiations right away, for acquisition of that water system, before they are annexed. But I would like them to split the cost of that analysis. I don’t want to foot the whole bill, that’s for dang sure. We need an independent third-party assessment of what that system is like. It’s definitely an asset and a benefit that we would be able to incorporate into our municipality, but it’s just a lot of discussion depending on

where it is once we get an assessment. If it's to this Council's liking that we do that, we can push up that timeline. I just really didn't want to negotiate an acquisition of a system in a community that isn't actually part of our community yet. That is the long and short answer."

Councilor Ortiz: "If Rincon Loop is annexed into the Village, current residents... if you are building a new home, you cannot drill a well. You have to hook up to the water system and basically give your water foot acreage to the Village. Is that right?"

Mayor Bruton: "You're close. Residential water rights can't be transferred from independent people to corporations or municipalities anymore, per the State Engineer. So that is not accurate."

Clerk Brown: "If I might add, that did historically happen. When we were initially developing the water utility, and current Village residents will know this, if they opted to connect to the utility, they did forego their domestic rights and they signed those to the Village. Our water resource engineer Casey and our water rights expert Carole both have cautioned us against doing that because the State Engineer's Office no longer sees that transfer as legitimate. It was a thing that happened at one time. It doesn't currently happen, and probably won't happen in the future either."

Councilor Ortiz: "My last question, or something else that I want us to be able to look into possibly, is what would the gross receipts tax be coming from there? How many home-based businesses are ran through there? Just a little bit more on that would be good for us to know too. I know we got the information on how many residencies, how many parcels are out there. One of my concerns is that the current residents... I mean, I think 70-78 residencies. Somewhere around there. That's a good amount of homes. Now there's another 80 parcels out there. If this does go, I think that will all be developed pretty quickly. We're not just taking 80, it's now 160. That's just a lot of growth, and I would like more information. A little bit more."

Mayor Bruton: "As far as gross receipts go, there was an economist about a year ago that determined about a much larger area. We can't extrapolate exactly what that area would do. We can work with Bernalillo County to see if they can help us. When they get their gross receipts, it is the same way we get our gross receipts. They don't section off an area and say 'this is what you are getting.' Matter of fact, when it shows up we can't tell really which business actually we're getting gross receipts from, who paid their taxes, who didn't pay their taxes that previous month, stuff like that. It's a little difficult. We can do it based off population, based off statistics. Little bit of analysis like that, which has been done previously. Property tax is easier, much easier. Gross receipts, home-based business, things like that, that would be a daunting task for me to try and... We can do it based off a best estimate, a best guess, and a statistical analysis, which again has been done. That statistical analysis did not factor in the Amazon buyers of the room."

Clerk Brown: "I would just add, just with Village residents alone, now that we have destination-sourced taxing, which is what you guys are calling point of sale taxing. If you look at the tax code, it is called destination-sourced taxing. We have already seen a \$40,000 increase on our monthly GRT just based on that destination-sourced taxing. It helps communities like ours that don't have a lot of commercial development in the community. You'll hear a lot of folks down south who really dislike it because of the oil industry. So,

it hurts communities like Hobbes and Carlsbad where all of that is getting shipped out of their community, but helps communities like ours because we don't have a lot of commercial business. If you can extrapolate that... we've seen that consistently since this tax code has been passed. If you double the population you'll double, you know. So simple calculation says we would get close to \$80,000 just in online destination-sourced taxing. Per month."

Councilor Ortiz: "Thank you all very much."

Councilor Armenta: "I have a few more questions, and I also have some concerns that I'd like to share. Question: when Well 3 gets put into place, or into function, will that be the only well that we'll be depending on?"

Casey Cook: "I don't believe so. I think probably—and the operators have their choice of how they want to run the wells, they have a mix of three wells—Well 3 can fill either tank. Well 1 and Well 2 are dedicated to their own tanks. Tank 1 and Tank 2. I think they'll see how things work best. They'll be able to monitor water levels in the wells. They'll probably let Well 1 rest, probably take it offline and rehab it as the Mayor suggested. They'll probably operate them using their best judgment of how to maintain the best sustainable capacity between them."

Mayor Bruton: "Tank 1 and Tank 2 have... or, Well 1 and Well 2 have their own dedicated tanks, but our operators actually use hydrogeology to push water from one tank to the other. So they can fill those tanks based off of the other wells, but it just takes a little bit of messing with the valves and stuff that is beyond me."

Councilor Armenta: "I guess my concern is that we will be depending mostly on Well No. 3."

Mayor Bruton: "It's gonna basically... Into the foreseeable future we will have all three wells that we will be depending on. Like I said, I don't believe... our operators feel as though Well 1 is still a viable well. Like Casey said, it can pump 30,000 gallons per year, which is 1/3 of all the water we use currently. So I don't see any reason to completely take that off line. I feel rehabbing it and making it even more productive would be the best benefit for our community. I don't see any reason in abandoning that well. Well 2 is definitely producing equally as good, at a higher level of gallons per minute. We're definitely not pulling that one offline any time in the near future. Well 3 is a remarkably producing well and we'll continue to use that one, but the operators will use them, as Casey said, depending on how they want to fill tanks and how they want the water to flow, things like that. Independently of each other and as a unit."

Casey Cook: "The nice thing about having three wells... To date, using two wells, the operators have to use them both. Now with the third well, they can do a mix of any of the two wells or just Well 3 for a period and let Wells 1 and 2 rest, which is a really important maintenance aspect when you're trying to sustain the life of a well. It not only gives a great supply to the Village, but gives the opportunity to sustain the lifetime of those other two wells."

Mayor Bruton: "As far as the Well No. 3, it is expected that it is a 20 year well. The State Engineer doesn't give anything more than a 20-year life to any well. Is that correct?"

Casey Cook: "They don't... I wouldn't say they give a life. They give you a water right that's in perpetuity. Can you hear me now, okay? I'm trying to speak louder. They're saying louder? I'm at 11 right now. Anyway, so the State Engineer doesn't define your well life."

They give you a water right, and then the operators or the owners of the well... it's up to them to use their best judgment to how to use the well. If it plays out, they can deepen the well, they can replace it with a new well—the Village has done that before with Well 1. A typical... the hydrogeologist, when they run a test, they feel comfortable projecting to 20 years but not much beyond that. It doesn't mean it's going to be done in 20 years, it just means that his professional judgment can tell you with confidence in 20 years you will have this sustainable yield. You may well have it beyond, but the test data doesn't allow you to say that with confidence."

Councilor Armenta: "Do we have an idea as to when the Rincon Loop water system was put in place? When their well was first dug? Would that be part of that discovery?"

Mayor Bruton: "That's gonna absolutely be part of it. When it was last rehabbed, when there was a pump put in last, what their gallon per minute pumping is. That would all go into effect to estimate that system."

Councilor Armenta: "Just because I know that Molzen Corbin has always looked over our infrastructure and have taken care of us. We're not too sure who their installers were, or whoever..."

Mayor Bruton: "We should be able to determine all that, who initially installed the well, what it needs, what kinds of modifications it's going to need. That will all go into a negotiation of the acquisition of it."

Councilor Armenta: "If I can go to some of my concerns, I guess I'll say. Neighbors and friends, of course. If we were to annex Rincon Loop, I know there's other surrounding neighborhoods or communities that have the same issues. I mean, I understand the benefits of annexation that you're talking about as far as taxes and so forth. I guess sort of where does it stop? Where we're outsourcing our water and our stuff. Where's it stop to where we can make sure we still have enough water for our community? For our existing community?"

Mayor Bruton: "I understand what you're saying. Rincon Loop is, again, basically the most viable area. I've already spoke of course with the Bernalillo County Commissioner regarding this, because this is her district. She feels as though it should have always been in this community, or part of this community. Because it is nestled in, right into the center of our community. We border it on all sides. They have to drive on our roads. They have to drive past our municipal buildings. They are part of our community already. So she thinks it is a viable option. It's not really her preference that many other areas are a viable option. Initially, years ago, when there was a proposal for a larger annexation, her and I spoke and she said 'not this area, not this area, not this area, not this area.' So I said fine. We'll drop everything, we'll let residents that really want to be part of us, that really want to be in our community, come to us and ask us. Like I've stated, she's told me that she thinks that this is the best for our community to help us grow, help us develop, help us fund ourselves even better."

Clerk Brown: "It takes a serious community organizing effort. Nick and I have been working with Cindy and Sterling for going on 8 months on this, to make sure they met state statute requirements to get even this far. Make sure they had information about Village services. To make sure they had any information that they might've needed to facilitate this process. I'm not inclined to think that every neighborhood has the leadership that this

neighborhood has to pull something like this off. I would just like to acknowledge the human effort that went into all of this and how that really makes this a pretty unique circumstance. Because I don't think the Village will see another petition this size get pulled off as well as this one did."

Deputy Clerk Kennedy: "I would add to that, that essentially and ultimately, where it stops is the decision of this Council and of Bernalillo County. Bernalillo County has the ability to say no, we will not allow territory that is currently in unincorporated Bernalillo County to become part of a municipality, whether that be Village of Tijeras, City of Albuquerque, or Village of Los Ranchos de Albuquerque. You as a Village Council and the Bernalillo County Commission, as a legislative body, have the authority to decide where future annexation into the Village of Tijeras stops."

Councilor Armenta: "Can we put that as a stipulation, if we were to annex this... I guess my concern is that this Council today might say one thing, but what about a Council five years down the road, ten years down the road?"

Mayor Bruton: "That's a very good point. So, to speak to a happenchance... Statutorily, we can't create any sort of document that says we wouldn't at least look at it or hear it. Theoretically..."

Bill Zarr: "You can't bind future Councils. You cannot bind them."

Mayor Bruton: "We can't violate state law either and say that it can't go through. So if there's people... Or that it can't be submitted to Bernalillo County. When it comes back to us, if the next group intends to do this and they take it directly to Bernalillo County instead of wanting to bring it to this Council, wanting to work with this community, wanting to try and do it the right way, then... it would come to us and I would vote it down. Especially if people are trying to circumvent the process of coming to us and trying to have these discussions and communication, and people that don't feel like they're really part of our community. I would. I would absolutely vote that down. It would be the prerogative of the Council members as well. Short answer yes and no."

Councilor Armenta: "I appreciate you all listening to my concerns, and I am trying to do this with all respect to the community for sure. I do have concerns. We're still in early phases of the sewer system. There's other communities that still don't have the natural gas that most of us have. If we annexed them, how quick are they gonna want us to put that water system in? Are we going to overlook other needs of the community for now?"

Mayor Bruton: "No. We absolutely wouldn't overlook other needs of the community. We gain funding through many, many sources. All those funding sources come with stipulations as to what we can use those funds for. So senior funds, water funds, wastewater funds, road funds, the dumpsters that we get for the cleanup days, things like that, those are all funded generally through grant funding. We can apply for all the funds all at once. That's not independent of each other. We can apply for all kinds of funds. If we're applying for funds for the connection of the water system over there, we can still apply for wastewater funds, we can still apply for road funds, we can still apply for dumpster funds, we can still apply for all other funds. They're not independent of each other. Which is what we do and what Hallie and Nick have been doing for the last two years, where we're getting all this other funding coming in from all these other sources. As far as circumventing and trying to send say, wastewater, to that community, logistically that is not possible. We have to lay the infrastructure to make it there. They're at the very end of it, so wastewater, guys."

Councilor Armenta: “I brought that up as an example.”

Mayor Bruton: “I know. I’m just answering to that question. So no. They’re not independent of each other at all. We can always apply for all types of funding. Even right now with our water system complete and access to every single resident in the Village of Tijeras, not that everyone’s on it, but access to everybody, we’re still applying to water funding for another tank. We create plans, we create directions we want to head in, and then apply for that funding. We have wastewater funding that’s coming from the legislators. It appears as though we’re going to be getting somewhere in the realm of about \$800,000 for wastewater this cycle. Those funds can only be used for wastewater. I can’t, this body can’t, no one can go forward and say ‘hey, we’re not going to use these for wastewater, we’re going to use these funds, this \$800,000, to connect anyone in Rincon Loop.’ Can’t do it. Period. It is against the law. Can’t do it. We have to use the funding sources we have for the specific purpose of the funding source. The only funding source we can use for anything in the entire community is general funds that we get through gross receipts tax. As far as gas goes, gas is a private enterprise. We have absolutely no say-so over the gas. We can help facilitate getting people in contact with NM Gas and help them work through the process, but NM Gas decides where they take their lines. We don’t have any say-so in that. None.”

Councilor Armenta: “I hope you guys have patience with me, because it is a big step for the community here. It is almost doubling the size of the Village of Tijeras. It’s a big step for the existing community. Is there an option of maybe annexing them in phases, to make sure that... I mean, we really haven’t... I understand all the studies they’re saying Well 3 is this and that, but it hasn’t really been tested 100%.”

Mayor Bruton: “It was definitely tested, but... I got a quick answer to this too. Much like Hallie stated previously, and the process, because the process is so terribly long, so many man hours going into... The effort that the two kind of leaders of this group have put into it, I would estimate into the hundreds of man hours they’ve put into this over the last many, many months. That’s for the unilateral reason that it has to go through our Zoning, through our Council, then to the zoning at Bernalillo County, to their Council, and then back to us for another 30-day period. Trying to do it piecemeal, where these people are trying to do two or three residents at a time, or five residents at a time, is logistically just nuts. The amount of time involved.”

Clerk Brown: “If you’d like me to work on this for the next five years, do it in smaller pieces.”

Deputy Clerk Kennedy: “Smaller annexations are certainly possible; we just have to consider the petition in the form it comes to us in. The residents of Rincon Loop decided to submit a petition for the entire neighborhood. Now one way or another, we have to see this petition through this process.”

Mayor Bruton: “Not to mention the cost of each petition over and over and over again. Bernalillo County has fees. The man hours that they involve. The facilitation that has come from our staff. The cost to go little by little by little would be remarkably substantial.”

Councilor Armenta: “The reason why I brought up all these concerns and questions and whatever is because, by saying yes to send it to the Bernalillo County, what message are we sending? Are we telling them that, you know... Without really hearing from the community first, what message are we sending them?”

Mayor Bruton: “It would be practically a support from this governing body. I think we’ve heard from a considerable amount of people here tonight. I wouldn’t be opposed to having a town hall that people can come to. A town hall is a much different forum than a Council meeting like this one. Where there can be question and answer. Much like there is question and answer right now with myself, my staff, engineers, this Council, our attorneys. I appreciate all that. We could definitely hold town hall meetings. That’s almost what’s going on here with five people. With the questions you guys have. Which I’m guessing you’re bringing from people here in our community as well, right? I’ve of course talked to...”

Councilor Armenta: “It’s no disrespect of course to Hallie and Nick. I know they’ve worked hard on it and I’m not trying to diminish that in any way, or their community. I’ve just got concerns as well.”

Councilor Garcia: “Thank you guys very much for coming out this evening. Thank you for your hard work. It’s pretty amazing to do, just with you guys, I think. A couple questions I have, I know that you mentioned, with the transparency aspect of it... Hallie had mentioned that she had been working pretty hard on this for about the last 8 months. I know that some of our current residents didn’t know about this until this agenda, a few days ago. So they’re not feeling the whole transparency of it. Not being able to come this evening to show support. Maybe only those who’ve seen the agenda. That is definitely a concern of mine, that the residents weren’t able to have a say in that. I definitely feel that... not to say I don’t support any of this, but I do support them. I’m here because of them. I want to make sure their voices are heard, and I don’t feel like they had that opportunity to do so in this case. One of the other things, I know that water is going to be one of the biggest things. One of our residents had mentioned the maintenance crew being spread thin. Not necessarily in regards to the water operation of it, but just in general. Whether it’s working on culverts or roads or weeds, anything that has to go on within the Village. That is where they’re spread thin as well. We do have a lot of other resources beyond just the water. Mayor, you spoke on that as far as, you know, how the wastewater works. You guys are aware, it’s going to be a long time before you guys are able to get that. Anything like natural gas that has to go through them. What about culverts that need to be replaced, infrastructure that just is wearing down within our Village, and if we do get the funding for that, are they going to take priority over residents? Because that is what they were promised as far as annexation? Or are they willing to wait until the rest of our current residents have what they need? SO those are a couple of the questions that I have, some concerns from the residents as well, wanting to know why they weren’t able to maybe speak on this or have their say, maybe a petition of their own, things like that.

Mayor Bruton: “Good questions. This meeting was noticed just like every other meeting. This is when the item was ready for an agenda. So that’s why it was noticed just the same as every other meeting that’s ever been had. As you know, not a whole lot of people show up to these meetings anyway. But it was noticed the same. Again, they’ll have many, many other opportunities to speak to this. There’ll be an open... the stuff through the zoning at Bernalillo County, a hearing through Bernalillo County’s Commission, and then back here for another public hearing. Everyone will have ample opportunity to speak to this over the next six-seven months. We can of course organize town halls between now and then, as well, while Bernalillo County is doing their work at their offices. Everyone will have ample

opportunity. As far as infrastructure, we 've made it a point to try and remove political agendas in our community of having each area repaired first. Historically it was we got a call, someone got a call, and they said 'hey, my road's bad,' and they ran over there and tried to fix it right away. 'Hey, my roads bad,' they ran over there and tried to fix it right away. We're currently working on a system to determine how bad every road is. You're aware of this. That way we can pull it out from you getting calls, me getting calls, Councilor Armenta, Councilor Wilson, Councilor Ortiz getting calls, saying 'my road is broken, I want it fixed,' just because they're upset. They're doing an analysis currently to determine which ones need to be repaired first, which culverts need to be repaired first. If they were to become part of our community, they would go into that same analysis to determine, that way it's not a politically-driven effort. Same thing... Which I think is the best way to do it. That way it removes any issues from this body on making actual decisions, we make real-world, fact-based decisions. That would be the same method of how it's done. There wouldn't be anyone getting any preferential treatment over anyone else. That would be prejudiced, and we can't abide by that at all."

Councilor Garcia: "I know that you had mentioned as far as this continuing on from here, it is showing Bernalillo County that we are in support of it, but we don't know what our residents are in favor of or not in favor of. Is it something that we could possibly postpone to allow the residents to speak on the issue?"

Mayor Bruton: "Definitely a postponement is always an option. But again, just because it goes from here to there, there is always one more option for us to be able to vote it down. Even if Bernalillo County approves it, even if zoning approves it and the Commission doesn't even look at it and approves it on a consent agenda item, it will have to come back to us and we will have to have a public hearing regarding the same topic. Even if we support it, and Bernalillo County doesn't, they won't allow it to occur. There's many, many steps between here and there, as I've said before. It's an option. Between now and then, we can hold as many town halls as you'd like, as this Council would like, as anyone here would like to discuss the topic. We can have people email in, mail in, or phone in, or whatever they'd like, and identify who is and who isn't, stuff like that..."

Councilor Garcia: "I still feel like if we send this in, it's showing support, and we don't know if we have the support."

Mayor Bruton: "If you support it, or...?"

Councilor Garcia: "No, our residents."

Bill Zarr: "You do have that opportunity, as you said Mayor... In essence it gets the ball rolling, because this will come to nothing if the County Commission does not approve. They essentially have a type of a veto over it, right from the get go. If something came up at a future time... let's say the County Commission approved it, you hold public hearings or something, you find that the cost of doing this or that is prohibitive, there's nothing that prevents this Council from taking an opposite position. This is sort of moving it along."

Mayor Bruton: "Exactly, starting the ball rolling is all it's doing. Like I said, we don't need to approve this for them to take it directly to Bernalillo County. I just feel as though... I support this. I think this would be the best way to grow our community. As we are, like I said, there's not a lot of area to develop and put new commercial developments and businesses, or to... the only other way to create more revenue is to start enacting mill levies, right? Which I am 100% opposed to enacting mill levies on our community. I don't know

about this Council, but I'm guessing the rest of you do. Do you want to pay more tax? That would be the only other realistic way to start growing and developing and creating asset for our community. Otherwise, we're staying stagnant, you know. These two do everything they can to get as much grant money as humanly possible, but there's only so much out there before we have to start sustaining ourselves, before we have to start using our general fund for expenditures, for hiring a maintenance person. I don't think there's anyone on this Council who feels we can't use another maintenance person. I, for one, think we could probably use two. But unless we find the funding stream to do that, which would be gross receipts, which would be property tax, which would be the point of business receipts, there's no other real way to do that. We just stay where we're at. And at the status quo. And always wanting for more maintenance people. Always wanting for more growth and more development."

Councilor Ortiz: "I kind of liked Councilor Garcia's idea of postponing our vote just so we can maybe get some more information on potential, you know, their water system, taxes, things like that. I understand this is not a final vote tonight. I'm not saying I'm one way or the other. I just think it would be nice for us to have more information as a Council, and also for our residents to... Just to hear a little bit more from them before we made a vote. That would be my recommendation as of right now. That's kind of how I'm feeling. I just think it'd be nice for us to talk to some more residents and see what they're all feeling. I understand as a Village we do need to be self-sufficient and have more taxes coming in. I don't know what the best way to do that is, and maybe having some more feedback from our residents would be appropriate before we vote on this."

Clerk Brown: "I would put the onus back on the Village Council to really recruit people to come to any meetings we have in between this and the next time it gets put on an agenda. As you know, Nick and I follow the notice requirements in the Open Meetings Act. We post our meetings on Facebook, we post agendas at six locations in the Village of Tijeras, and we post it on our website. We send it out in our newsletter in a monthly calendar. We are really advertising these meetings in as many ways as we can possibly do that. So if you're interested in garnering more feedback from Village residents I ask you to get creative with how you are reaching out to them to attend these meetings. We've exhausted every resource we have a staff to share information about events in the Village, and town halls and meetings like this. I would just say that would be a really critical component. We're already using 10 venues at any given time to advertise a meeting like this."

Councilor Ortiz: "Thank you guys for all your work that you do. Like everybody said, you guys are awesome and we truly appreciate it."

Mayor Bruton: "By a show of hands, how many residents are sitting in the room?" (11 people raise their hands.) "Counting us, sixteen residents in this room currently. What percentage of 546 is that? About three percent of almost all our residents, voting and nonvoting, in this room right now. Not a substantial amount. I'm fine with postponing this for a future date. I'd ask, based off of time frames, that we postpone it to the 21st of March, which is basically a month from today. That way we can move this ball forward, we can get this rolling, stuff like that. The 28th is when their deadline is for submitting to Bernalillo County. So that will be just prior to the submittal to Bernalillo County. Is that acceptable to this Council?"

Councilor Armenta: “I just want to add one thing real quick. To the community of Rincon Loop, I’m a new Council member. I really hadn’t seen this until this week. Please forgive me if I have a lot of concerns or questions. It’s something new to me. I feel there’s a few things that have to be addressed. I’m in favor of postponement for now.”

A C T I O N	Motion	Motion to postpone Item 8 to the 3/21/2022 meeting		
	Made by:	Ortiz	Councilor Ortiz-Y	Councilor Armenta-Y
	Second by:	Garcia	Councilor Wilson-Y	Councilor Garcia-Y
	Motion carried?	PASSED	FAILED	

9. **Council to Review and Approve Resolution 2022-02, Budget Adjustment Resolution #3 FY22**

[Attachment F Resolution 2022-02 Budget Adjustment Request #3 FY 2022.docx](#)
[Attachment G BAR #3 FY2022 adjust overages.xls](#)

Mayor Bruton explained this budget adjustment resolution is for capital projects and EMS grant funding.

Clerk Brown explained that the Village did not originally budget the Well No. 3 grant because staff did not have the grant agreement. This budget adjustment resolution adds the grant amount. She added that the Village cannot budget for a grant without an executed grant agreement.

Mayor Bruton stated it also includes the capital outlay funding from the previous year from Senator Schmedes and Representative Lord.

A C T I O N	Motion	Motion to approve Resolution 2022-02		
	Made by:	Garcia	Councilor Ortiz-Y	Councilor Armenta-Y
	Second by:	Wilson	Councilor Wilson-Y	Councilor Garcia-Y
	Motion carried?	PASSED	FAILED	

10. **Council to Review and Approve January 2022 Financials**

[Attachment H January 2022 Financials.pdf](#)
[Attachment I January BOA.pdf](#)

Councilor Wilson asked about the line items pertaining to Kyle Kollo. Mayor Bruton explained that those items were to catch Mr. Kollo up on compensation for his role as Acting Fire Chief. Clerk Brown added Mr. Kollo had mistakenly not submitted the proper payroll records.

Councilor Wilson asked about the purchase card charge from Canva. Clerk Brown explained Canva is a software that Village staff use in the creation of promotional materials.

A C T I O N	Motion	Motion to approve the January 2022 Financials		
	Made by:	Ortiz	Councilor Ortiz--Y Councilor Wilson-Y	Councilor Armenta-Y Councilor Garcia-Y
	Second by:	Armenta		
	Motion carried?	PASSED	FAILED	

11. **Council to Review and Approve Updated Job Descriptions for all Village Staff Positions**

[Attachment J Job Descriptions as of January 2022.pdf](#)

Mayor Bruton explained he had asked Clerk Brown and Deputy Clerk Kennedy to work on this project. He stated the previous job descriptions were created by one person. The proposed descriptions were created with input from Village staff and more accurately reflect each position’s current duties.

Clerk Brown added that she circulated a copy of the most recent job description to each member of Village staff and solicited feedback from them on the accuracy of the description.

Councilor Wilson stated she is impressed with the way the new descriptions are written. She suggested several amendments to the descriptions, which the Council accepted.

Deputy Clerk Kennedy noted the updated job descriptions will be useful in performance evaluations.

A C T I O N	Motion	Motion to approve as amended		
	Made by:	Ortiz	Councilor Ortiz--Y Councilor Wilson-Y	Councilor Armenta-Y Councilor Garcia-Y
	Second by:	Armenta		
	Motion carried?	PASSED	FAILED	

12. **Council to Review and Select Proposal for Design Services- Criswell Drive and Carmino Road Drainage Improvements**

[Attachment K Recommendation Letter- Drainage Improvements RFP.docx](#)

[Attachment L Grading Rubric- Evaluation Committee.docx](#)

[Attachment M Proposal - Molzen Corbin.pdf](#)

[Attachment N RFP- Drainage Improvements, Criswell and Carmino.pdf](#)

Mayor Bruton explained the RFP committee evaluated the proposal to determine its responsiveness.

Councilor Wilson noted that the RFP committee had asked for a specific cost breakdown and asked if the Village had received one. Clerk Brown replied she reached out to the contractor and requested a cost breakdown, but did not receive one in time to include it with the Council’s packet of materials.

Councilor Wilson thanked the RFP committee for the time and effort they contributed to the project. Mayor Bruton stated both of the most recent RFP committees received thank you letters.

A C T I O N	Motion	Motion to select the proposal from Molzen Corbin		
	Made by:	Wilson	Councilor Ortiz--Y Councilor Wilson-Y	Councilor Armenta-Y Councilor Garcia-Y
	Second by:	Garcia		
	Motion carried?	PASSED	FAILED	

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

[Attachment O 010422 Shredding Records Index.xls](#)

Councilor Garcia noted that the attached index is shorter than usual and asked if the project was nearing completion. Clerk Brown explained that it is only due to the recent remote work schedule and a building closure due to frozen pipes. Mayor Bruton stated Village staff plan to include two indexes on all future meeting agendas until the project is complete.

A C T I O N	Motion	Motion to approve the list of record destruction		
	Made by:	Garcia	Councilor Ortiz-Y Councilor Wilson-Y	Councilor Armenta-Y Councilor Garcia-Y
	Second by:	Armenta		
	Motion carried?	PASSED	FAILED	

14. **Updates**

a. Mayor

i. Mayor Bruton noted he and his staff have been interviewing for a new Finance Director to replace Larry Seebinger, who has retired. He stated he expects to make an offer tomorrow. If the candidate accepts, given that they are a senior salaried position, the Council will approve their

employment prior to their start date. He stated he intends to offer a salary of \$62,000. This will require a budget adjustment resolution. The candidate requested increased compensation in exchange for waiving employer-paid insurance benefits. He stated he consulted with the Village's legal team and the Department of Finance and Administration. Both entities say such an arrangement is acceptable.

b. Councilors

- i. Councilor Armenta apologized to Clerk Brown for not replying to her email regarding a Council retreat. Clerk Brown stated she would circulate a new poll and asked the Council to suggest all proposed times that would work for them.
- ii. Councilor Ortiz noted that he is working with Clerk Brown and Deputy Clerk Kennedy on this year's Earth Day event. He stated he is seeking donations from local partners to help offset the cost of souvenir t-shirts for participants.
- iii. Councilor Ortiz thanked Clerk Brown and Deputy Clerk Kennedy for their work on the petition for annexation.
- iv. Councilor Wilson stated she is very interested in holding the Council retreat. She encouraged her fellow Councilors to reach out to her with any questions about the history of the Village.
 1. Mayor Bruton suggested including a training session on the various funding streams the Village takes advantage of.
- v. Councilor Ortiz asked if it would be possible to hold closed meetings with public notice. Clerk Brown replied there are certain exceptions in the Open Meetings Act that allow a public body to enter closed sessions, but they are very specific. She suggested this is something that could be discussed at the Council retreat.

c. Clerk

- i. Clerk Brown stated she received permission from Cindy Schreiner and Sterling Beeson to share their contact info with the Council. She encouraged the Council to reach out to them with any questions directed to the Village Council.
- ii. Clerk Brown instructed the Council to communicate with her and Deputy Clerk Kennedy if there are any additional materials they would like to have prepared prior to the 3/21 meeting. She also reiterated that Councilors are welcome to reach out to her with questions prior to the meeting.

d. Deputy Clerk

- i. Deputy Clerk Kennedy stated he would be attending a training with Bernalillo County on hazard and threat identification and risk assessment tomorrow and Thursday.

e. Departments

15. **Time and Place of Next Meetings**

THE NEXT MEETING OF THE VILLAGE OF TIJERAS GOVERNING BODY WILL BE HELD ON MONDAY, MARCH 7, 2022.

ADJOURNMENT

The meeting adjourned at 8:39 p.m.

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 minute