



**MINUTES
VILLAGE OF TIJERAS
COUNCIL MEETING
MONDAY, SEPTEMBER 18, 2023, AT 6:00 P.M.
COUNCIL CHAMBERS**

1. **Call to Order**

Meeting called to order at 6:00 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**

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

4. **Introduction of Guests**

Jessica Nixon, Village Attorney
Ernest Barnes, P&Z Commissioner
Tom Burnett, Resident

Rita Rivera, Senior Center Manager
Ramon Garcia, P&Z Commissioner

5. **Public Comment**

Tom Burnett requested an update from the Governing Body regarding the planned pickleball court for the Senior Center. Mr. Burnett stated he believes this would be a great addition to the programs at the Senior Center and recommended the Council use an all-weather net.

Mayor Bruton stated that Village staff is currently looking for funds to expand upon the idea, as the Village would prefer to utilize professional services to develop the court.

6. Approval of Agenda

A C T I O N	Motion	Approval of the agenda		
	Made by:	Wilson		Councilor Armenta-Yes
	Second by:	Armenta		Councilor Garcia-Absent
	Motion carried?	PASSED	FAILED	Councilor Ortiz-Yes Councilor Wilson-Yes

7. Council to Review and Approve Previous Minutes

[Attachment A - 082123 Draft Minutes.pdf](#)

Councilor Armenta questioned if the minutes should mention the Los Vallecitos slope issue, per Councilor Wilson's request.

Mayor Bruton clarified that the item cannot be listed in the minutes because it was not on the agenda for the previous meeting, but that it is listed on tonight's agenda and will be listed on agendas moving forward until the issue is addressed.

A C T I O N	Motion	Motion to approve minutes with no changes		
	Made by:	Ortiz		Councilor Armenta-Yes
	Second by:	Armenta		Councilor Garcia-Absent
	Motion carried?	PASSED	FAILED	Councilor Ortiz-Yes Councilor Wilson-Yes

8. Council to Review and Take Action on Change Order #2 for NM-333 Phase II Pedestrian Improvements Project (A300483)

[Attachment B - A300483 A-1344 T-LPA Change Order #2-SP.pdf](#)

[Attachment C - A300483 Budget.pdf](#)

Councilor Wilson, Councilor Armenta, and Councilor Ortiz voiced their displeasure with the change order, stating that the change order would not be necessary if the engineers had designed the project to comply with ADA and PROWAG requirements.

Councilor Wilson asked Mayor Bruton and Village staff to look into the renewal date for the Village's contract for professional architecture and engineering services.

Mayor Bruton stated he understands the concerns of the Council but believes the mistake was on NMDOT's part in this case. He explained that NMDOT reviewed the project plans and stated that the project met all ADA and PROWAG requirements, but later reversed their stance.

A C T	Motion	Approval of Change Order #2		
	Made by:	Ortiz		Councilor Armenta-Yes

I O N	Second by:	Armenta		Councilor Garcia-Absent Councilor Ortiz-Yes Councilor Wilson-Yes
	Motion carried?	PASSED	FAILED	

9. **Council to Review and Take Action on ZA 1178 – Joseph Patron 37 Primera Agua – Variance Request to Install Storage Container, Construct Fence and Carport**

[Attachment D - ZA 1178 - Joseph Patron 37 Primera Agua - Variance Request.pdf](#)

[Attachment E - 091323 P&Z Draft Minutes.pdf](#)

Clerk Kennedy provided an overview of the application.

The Council asked if the project meets setback requirements. Clerk Kennedy responded that, although the drawings do not indicate setbacks, the Planning and Zoning Commission confirmed with Mr. Patron that his project will comply with all setback requirements.

Councilor Armenta asked if the storage containers would be permanent. Clerk Kennedy responded that, to the best of his knowledge, Mr. Patron intends to have the containers on his property indefinitely.

Councilor Wilson requested that the Clerks contact Mr. Patron and instruct him to file documentation of the project setbacks with the Village.

A C T I O N	Motion	Approval of variance request for ZA 1178		
	Made by:	Ortiz		Councilor Armenta-Yes Councilor Garcia-Absent Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Wilson		
	Motion carried?	PASSED	FAILED	

10. **Council to Review and Take Action on Quote for Veterans Memorial Plaques**

[Attachment F - 20230911_VillageofTijerasMemorialUPDATE_INSTALL.pdf](#)

[Attachment G - 20230911_VillageofTijerasMemorialUPDATE_NOINSTALL.pdf](#)

Clerk Kennedy stated that he and Deputy Clerk Limon have been working to obtain a quote for several new and replacement plaques for the Veterans Memorial. He explained that Century Sign Builders is the same company that produced the original elements for the Memorial, so the new plaques will match exactly.

Mayor Bruton recommended that the Council select the quote without installation, stating he believes the Maintenance Department is well-equipped to perform the installation themselves.

A C T I O N	Motion	Approval of Attachment G – quote without installation	
	Made by:	Ortiz	Councilor Armenta-Yes Councilor Garcia-Absent Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Armenta	
	Motion carried?	PASSED	

11. **Council to Review and Take Action on Quote for Internet Service**

[Attachment H - Comcast Business Service Order Agreement - Village Hall.pdf](#)

[Attachment I - Comcast Business Service Order Agreement - Senior Center.pdf](#)

[Attachment J - Comcast Contract Amount.pdf](#)

Clerk Kennedy provided an overview of the proposed internet service upgrade, explaining that both Village Hall and the Senior Center would see faster download speeds. He broke down the cost of the upgrade over the life of the three-year agreement.

Councilor Matt Armenta questioned if the Deputy Clerk had reviewed the quotes as he is the member of Village staff most knowledgeable about IT. Deputy Clerk Limon stated he feels Comcast/Xfinity provides the best service currently available.

A C T I O N	Motion	Approval of quote for internet service upgrade	
	Made by:	Armenta	Councilor Armenta-Yes Councilor Garcia-Absent Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Wilson	
	Motion carried?	PASSED	

12. **Council to Enter Executive Session Pursuant to Section 10-15-1 H (7) NMSA 1978, Regarding Threatened or Pending Litigation to Include Village of Tijeras v. Estate of Melvin Garcia (Case No. D-202-PB-2021-00446)**

A C T I O N	Motion	Enter executive session	
	Made by:	Ortiz	Councilor Armenta-Yes Councilor Garcia-Absent Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Wilson	
	Motion carried?	PASSED	

The governing body entered executive session at 6:35 PM and exited at 7:45 PM

13. **Council to Reconvene in Open Session**

A C T I	Motion	Motion to Reconvene	
	Made by:	Wilson	Councilor Armenta-Yes Councilor Garcia-Absent
	Second by:	Armenta	

O N	Motion carried?	PASSED	FAILED	Councilor Ortiz-Yes Councilor Wilson-Yes
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14. **Council to Certify that Discussion During the Executive Session was Limited to those Matters Identified in the Motion to Enter Executive Session and No Action was Taken**

A C T I O N	Motion	Motion to certify that discussion during the executive session was limited to those matters identified in the motion to enter executive session and no action was taken		
	Made by:	Wilson		Councilor Armenta-Yes Councilor Garcia-Absent Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Ortiz		
	Motion carried?	PASSED	FAILED	

15. **Updates**

- a. Previous Meeting Items
 - i. Los Vallecitos Slope – Village Attorney Jessica Nixon provided an update on her firm’s research into possible contractual remedies for the Village. She stated the Village may have a claim for breach of contract or breach of implied warranty. She stated she would have another update by the date of the next Council meeting.
- b. Mayor
 - i. Mayor Bruton stated that the Village received a check of \$5,000 for the pocket park from GCC. He thanked GCC for their contribution and stated it will go a long way to completing the park.
- c. Council
 - i. Councilor Armenta thanked the staff for cleaning up the pocket park site and for looking into the Los Vallecitos slope issue.
 - ii. Councilor Armenta asked if there is any update on the request to install a speed bump on Los Vallecitos. Clerk Kennedy responded that he will inquire with Star Paving.
 - iii. Councilor Armenta stated there is a residential culvert on Armenta Road that is too small and is creating drainage issues. Clerk Kennedy stated the staff would look into the matter.
 - iv. Councilor Ortiz stated he would be donating five Park and View tickets for the September showing.
 - v. Councilor Wilson stated she would like the Village to issue an RFP for engineering and architecture services at the next opportunity.
 - vi. Councilor Wilson stated that the Maintenance Department needs to perform additional tree trimming work at the intersection of Armenta Road, Los Vallecitos Road, and Camino Primera Agua.

- vii. Councilor Wilson requested an update on the status of hydrant testing. Clerk Kennedy stated that he will follow up with Prodigy Builders, as they were planning to train Village staff to perform the testing as well as provide a quote for the equipment necessary to perform the testing.
- d. Clerk
 - i. Clerk Kennedy shared an update regarding a water leak at the James McGrane Public Safety Complex.
- e. Deputy Clerk
 - i. Deputy Clerk Limon stated he will hold the next computer course at the Senior Center on October 4th.
 - ii. Deputy Clerk Limon provided updates to the Council on the Village's insurance claim related to the damage at the Visitors Center and a possible claim related to damage to the Senior Center van during a recent field trip to the NM State Fair.
- f. Departments
 - i. None.

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

THE NEXT MEETING OF THE VILLAGE OF TIJERAS GOVERNING BODY WILL BE HELD ON MONDAY, OCTOBER 2ND, 2023.

ADJOURNMENT

The meeting adjourned at 8:18 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 minutes