



MINUTES
VILLAGE OF TIJERAS
SPECIAL COUNCIL MEETING
TUESDAY, MARCH 14, 2023 AT 6:00 P.M.
COUNCIL CHAMBERS

1. **Call to Order**

Meeting called to order at 6:00 p.m. 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	✓	JO	✓	MW	✓
Quorum present		Yes	No				

4. **Introduction of Guests**

Jessica Nixon, Village Attorney

Gabby Bruton, Resident

5. **Public Comment**

None.

6. **Approval of Agenda**

A C T I O N	Motion	Approve the agenda for 3/14/2023		
	Made by:	Ortiz		Councilor Armenta-Yes Councilor Garcia-Yes Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Wilson		
	Motion carried?	PASSED	FAILED	

7. Council to Call for Public Hearing on ZA 1168 Proposed Subdivision

[Attachment A - ZA 1168 - Alexa Alvarez 10 Camino Municipal - Proposed Subdivision.pdf](#)

Mayor Bruton explained that Ms. Alvarez is proposing to subdivide the property adjacent to Village Hall. He added that the property is currently about four acres in size and Ms. Alvarez proposes to create two new lots, each about two acres in size. Mayor Bruton also noted that the proposed subdivision has been recommended for approval by the Planning and Zoning Commission.

Councilor Armenta stated he will be recusing himself from voting on this item.

Clerk Kennedy informed the Council that, given the notice requirements for adoption of an ordinance and the Council’s intention to hold public hearings for all of the items on this agenda during a single meeting, the public hearings need to be scheduled for March 31, 2023. Ms. Nixon added that it was necessary to hold this special meeting today so that Village staff could provide the required two weeks of notice of intent to adopt an ordinance.

Councilor Ortiz noted that he was present at the 2/22/2023 Planning and Zoning Commission meeting and considers the proposed subdivision to be straightforward.

Councilor Wilson asked to clarify that deliberation of the proposed subdivision will occur at the 3/31 public hearing. Mayor Bruton confirmed that is the case.

Councilor Wilson asked if it is necessary for Councilor Armenta to recuse himself from voting on this item. Mayor Bruton stated it is. Ms. Nixon added that, by recusing himself, Councilor Armenta is removing any appearance of bias.

Councilor Garcia asked to clarify that Councilor Armenta will also need to recuse himself from deliberation of and action on this item at the 3/31 public hearing. Mayor Bruton confirmed that is the case.

A C T I O N	Motion	Call for a Public Hearing on ZA 1168 on March 31st, 2023 at 6:00 p.m. at Village Hall	
	Made by:	Ortiz	Councilor Armenta-Recused Councilor Garcia-Yes Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Wilson	
	Motion carried?	PASSED	

8. Council to Call for Public Hearing on ZA 1169 Proposed Zone Change

[Attachment B - ZA 1169 - Jonathan Ortiz 17 Tijeras Ave - Proposed Zone Change.pdf](#)

Mayor Bruton explained that Councilor Ortiz purchased three properties adjacent to 17 Tijeras Avenue from the Village and the Village changed the zoning of said properties from Government/Institutional to Large Commercial in anticipation of the sale. He continued that Councilor Ortiz now proposes to change the zoning of the property at 17 Tijeras Avenue from Commercial Development Zone 1 (CB-1) to Large Commercial Zone 2 (CB-2) to create consistent zoning for all of his adjacent properties. Mayor Bruton added that the Planning and Zoning Commission has recommended approval of this item.

Clerk Kennedy asked if the Council can call for multiple public hearings at the same time, or if the motion should state that this public hearing will occur immediately following the conclusion of the previous public hearing. Ms. Nixon advised the Council to call for each public hearing at the same time, adding that the agenda for the 3/31 meeting will clarify the order of the public hearings.

Councilor Ortiz recused himself from voting on this item.

Councilor Armenta noted he was present at the 2/22/2023 Planning and Zoning Commission meeting and has no concerns about the proposed zone change.

A C T I O N	Motion	Call for a Public Hearing on ZA 1169 on March 31st, 2023 at 6:00 p.m. at Village Hall		
	Made by:	Armenta		Councilor Armenta-Yes Councilor Garcia-Yes Councilor Ortiz-Recused Councilor Wilson-Yes
	Second by:	Wilson		
	Motion carried?	PASSED	FAILED	

9. **Council to Call for Public Hearing on ZA 1170 Proposed Zone Change**

[Attachment C - ZA 1170 - Nathan and Betsy Hawkins 11795 NM 337 - Proposed Zone Change.pdf](#)

Mayor Bruton explained that Mr. and Mrs. Hawkins purchased the property adjacent to the Manzanita Substation and are applying to change the zone from Residential Zone 1 (R-1) to Industrial/Manufacturing/Service Zone (I/M-3). He added that the Planning and Zoning Commission has recommended approval of this item.

A C T I O N	Motion	Call for a Public Hearing on ZA 1170 on March 31st, 2023 at 6:00 p.m. at Village Hall		
	Made by:	Wilson		Councilor Armenta-Yes Councilor Garcia-Yes Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Armenta		
	Motion carried?	PASSED	FAILED	

10. Council to Call for Public Hearing on Proposed Ordinance 235 – Imposition of Municipal Gross Receipts Tax

Mayor Bruton explained that the state legislature is in the process of adopting legislation to decrease the state gross receipts tax (GRT) rate by 0.5%. Per state statute, municipalities may impose municipal gross receipts tax (MGRT) up to 2.5%. Mayor Bruton noted that the MGRT rate in the Village is currently 1.5625%. He stated he would like to adopt an increase to the Village's MGRT rate to coincide with the reduction in state GRT on July 1, 2023. Mayor Bruton noted that the Village has an opportunity to increase its own revenue while preserving an overall decrease to GRT for Village residents.

Mayor Bruton referred to a spreadsheet developed by Finance Director Caufield containing projections of tax revenue at various levels of increase. He noted that municipalities may only increase their MGRT rate to 2.05% by ordinance. The remaining 0.45% must be enacted by voter referendum. Therefore, Mayor Bruton suggested the Village impose a maximum increase of 0.45%, which would bring the total MGRT rate in the Village to 2.0125%. He noted the increase would boost the Village's revenue by an estimated \$200,000.00 per year or more.

Mayor Bruton added that if the reduction in state GRT does not occur, he will request that the Council does not increase the Village's MGRT rate, as it is not his intention for Village residents to pay more in GRT than they currently do.

Councilor Armenta asked to confirm that even the highest propose increase of 0.45% would result in an overall reduction in GRT in the Village. Mayor Bruton confirmed that is correct. Ms. Nixon added that the proposed reduction in state GRT only affects the state, not the Village's revenue.

Councilor Ortiz asked if it would be possible to reduce the Village's MGRT rate if the state later raised their GRT rate. Mayor Bruton confirmed that the Village can always reduce its GRT rate. Ms. Nixon noted that there are several municipalities in New Mexico with higher GRT rates than Tijeras. Mayor Bruton added that the Village last increased its MGRT rate in 2012 and the proposed increase would not exhaust the Village's taxing authority.

Councilor Garcia asked when the proposed MGRT increased would take effect. Mayor Bruton stated it would take effect July 1, 2023. Mayor Bruton also noted the Village's next opportunity to increase MGRT would be January 1, 2024.

Clerk Kennedy stated that if the Village does not enact an MGRT increase, the total GRT rate in the Village will decrease to 7.25% on July 1, 2023. He added that the total rate has been 7.75% since July 1, 2022. He explained the total rate is composed of a Village rate of 1.5625%, a Bernalillo County rate of 1.1875%, and a state rate of 5%. The state is decreasing their rate from 5% to 4.5%.

Finance Director Caufield noted that the state legislature passed a decrease of 0.25% in state GRT during the 2022 legislative session. In other words, even if the current bill fails, the state GRT rate will decrease to 4.75% on July 1, 2023.

Mayor Bruton asked what level of increase the Council would like to enact. Councilor Ortiz proposed an increase of 0.45%. Councilors Armenta and Garcia concurred. Ms. Nixon suggested the Council include the proposed rate in their motion.

Finance Director Caufield stated she wholeheartedly supports the proposed increase. She added that she believes the Village requires additional revenue to prepare for unforeseen expenses and create additional surplus in the budget.

A C T I O N	Motion	Call for a Public Hearing on Ordinance 235 on March 31st, 2023 at 6:00 p.m. at Village Hall to consider imposition of an MGRT increase of 0.45%		
	Made by:	Ortiz		Councilor Armenta-Yes Councilor Garcia-Yes Councilor Ortiz-Yes Councilor Wilson-Yes
	Second by:	Armenta		
	Motion carried?	PASSED	FAILED	

Clerk Kennedy noted that state statute requires municipalities to provide at least two weeks' notice of their intent to adopt an ordinance by publishing notice in the newspaper. He added that notice of the March 31st public hearing will be published in the Albuquerque Journal on Thursday, March 16, 2023.

11. Announcements

Mayor Bruton stated 2023 is the 50th anniversary of the Village's incorporation and he would like to plan a celebration. He asked two Councilors to volunteer to serve on the event planning committee. The entire Council volunteered. Mayor Bruton stated that he expects the planning committee to meet twice a month for about an hour per meeting. Clerk Kennedy noted the entire Council is welcome to attend any and all planning committee meetings, but Mayor Bruton is asking at least two Councilors to commit to attending every meeting. He added that the first meeting is scheduled for March 31st around 4:30 p.m.

12. Time and Place of Next Meetings

THE NEXT MEETING OF THE VILLAGE OF TIJERAS GOVERNING BODY WILL BE HELD ON MONDAY, MARCH 20, 2023.

ADJOURNMENT

The meeting adjourned at 6:30 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 a reader, 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 office of the Village Clerk at (505) 281-1220 at least four (4) calendar days prior to the meeting. Public documents including the agenda and minutes can be provided in digital or hardcopy format. The Village of Tijeras strictly prohibits any form of unlawful discrimination based on race, color, religion, gender identity, sexual orientation, sex, national origin, age, disability, or political affiliation in any program, activity, or service sponsored by the Village. Contact the office of the Village Clerk for more information.