



RESOLUTION NO. 09-05

A RESOLUTION IMPLEMENTING NIGHT SKY PROTECTION ON TOWN STREETS

WHEREAS, the Town of Taos has adopted a Night Sky Protection Ordinance (Ordinance No. 07-02) the purposes of which include reducing or preventing light pollution in the sky and reducing or preventing light trespass onto others' property;

WHEREAS, the Town should to take the lead in furthering the purposes of the Night Sky Protection Ordinance by assuring that streetlights on streets owned and maintained by the Town are dark sky compliant;

WHEREAS, the Town has received an appropriation from the State Legislature in the amount of \$50,000 from the General Fund to map and replace street lighting to comply with the night sky protection ordinance;

WHEREAS, the Town has entered into a Capital Cooperative Agreement with the New Mexico Department of Transportation ("NMDOT") setting forth procedures, requirements and conditions applicable to the Town's expenditure of said legislative grant;

WHEREAS, the said Capital Cooperative Agreement with NMDOT, among other provisions, requires that the Town adopt a written resolution of support for the project to be funded by the aforementioned Legislative grant;

WHEREAS, Kit Carson Electric Cooperative ("Kit Carson") is the sole public utility provider of electricity in the Town, and owns and maintains the poles on which streetlights on Town streets are mounted as well as the lights themselves;

WHEREAS, due to public safety and liability considerations, only Kit Carson personnel are permitted to install, replace and maintain lights mounted on poles on Town streets and, therefore, Kit Carson is the sole provider of such services in the Town;

WHEREAS, the Town has the opportunity to enter into an agreement with Kit Carson Electric Cooperative for the purchase and installation on Town streets of lighting that is compliant with the Night Sky Protection Ordinance, replacing non-complaint lighting;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby authorizes the Mayor or the Town Manager to enter into an agreement with Kit Carson to provide for the purchase, ownership, liability and maintenance of dark sky compliant lighting on Town streets, and to provide for payment for the dark sky compliant light fixtures by the Town, such sums to be reimbursed to the Town through NMDOT from the aforementioned Legislative appropriation.

PASSED, RESOLVED AND APPROVED THIS 20th DAY OF JANUARY, 2009.

Councilmember Rudy C. Abeyta	<u>yes</u>
Councilmember A. Eugene Sanchez	<u>yes</u>
Councilmember Amy J. Quintana	<u>yes</u>
Councilmember Michael A. Silva	<u>yes</u>

TOWN OF TAOS

Darren M. Cordova, Mayor

ATTEST:

APPROVED AS TO FORM:

Renee Lucero, Town Clerk

Allen Ferguson, Town Attorney