



## **RESOLUTION 10-23**

### **A RESOLUTION OF THE TOWN OF TAOS, WAIVER OF EMPLOYEE OR IMMEDIATE FAMILY MEMBER CONTRACTING WITH THE TOWN OF TAOS**

**WHEREAS**, NMSA 1978, Section 13-1-190, makes it unlawful for a public employee to participate directly or indirectly in a procurement when the employee knows that the employee or any member of his/her immediate family has a financial interest in seeking or obtaining a contract; and

**WHEREAS**, NMSA 1978, Section 13-1-193, makes it unlawful for a public employee who participates directly or indirectly in the procurement process to become or to be the employee of any person or business contracting with the government body by whom he/she is employed; and

**WHEREAS**, pursuant to NMSA 1978, Section 13-1-194, the Town may waive restrictions set forth in the above Sections by publicly disclosing the contemporaneous employment and/or financial interest of an employee or their immediate family member when the procurement can be conducted and the contract can be performed without actual or apparent bias or favoritism, and participation by the employee or immediate family member is in the best interest of the Town; and

**WHEREAS**, the Town is proposing to contract with Jim Fambro, related by to Marietta Fambro, an employee of the Town.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Taos:

The Town hereby waives Section 13-1-190 and 13-1-193 as they may relate to Jim Fambro and to Marietta Fambro, a Town employee by allowing Jim Fambro to contract with the Town of Taos as long as the Town complies with the Procurement Code in all applicable areas and the Town gives no apparent or actual bias or favoritism.

**BE IT FURTHER RESOLVED** that the Town Council through adoption of this Resolution is publicly disclosing the contemporaneous employment and/or financial interest and relationship of an employee or his immediate family member in contracting with the Town of Taos;

It is in the best interest of the Town of Taos to contract with Jim Fambro to perform certain Alternate Municipal Judge services for the Town of Taos.


**PASSED, RESOLVED and APPROVED this 25<sup>th</sup> day of May, 2010 at the Regular Meeting of the Town of Taos Council.**

Mayor Pro Tem 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**

  
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**Darren M Cordova, Mayor**

**ATTESTED:**

  
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**Renee Lucero, Town Clerk**

**APPROVED AS TO FORM:**

  
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**Allen R. Ferguson, Jr., Town Attorney**