



RESOLUTION 10-33

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 the 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 imposed by the above Sections by publicly disclosing the contemporaneous employment or the financial interest of the employee or their immediate family, when the procurement can be conducted and the contract can be performed without actual or apparent bias or favoritism, and the employee or his immediate family's participation is in the best interest of the Town; and

WHEREAS, the Town is proposing to contract with Alicia Esparza dba Northern New Mexico Job and Drug Screening/Taos Physical Therapy, related by marriage to Matthew Spriggs, 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 relate to Alicia Esparza dba Northern New Mexico Job and Drug Screening/Taos Physical Therapy by allowing them 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 Alicia Esparza dba Northern New Mexico Job and Drug Screening/Taos Physical Therapy to perform certain drug testing related services for the Town of Taos.

PASSED, RESOLVED and APPROVED this 13th day of July, 2010 at the Regular Meeting of the Town of Taos Council by the following vote:

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



Darren M. Cordova, Mayor

ATTESTED:



Renee Lucero, Town Clerk



APPROVED AS TO FORM:



Allen R. Ferguson, Jr., Town Attorney