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**MINUTES
REGULAR COUNCIL MEETING**

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**Taos Town Council
Town Council Chambers
120 Civic Plaza Drive
Taos, New Mexico**

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**April 15, 2008
6:30 p.m.**

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1. CALL TO ORDER: The Regular Meeting of the Taos Town Council was called to order by the Honorable Mayor Bobby F. Duran at 6:32 p.m.

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2. ROLL CALL: Ms. Joella Gallegos, Deputy Town Clerk, called roll and a quorum was present.

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Those present were Mayor Bobby F. Duran, Councilmembers Amy J. Quintana, Eugene Sanchez, Darren Cordova, and Rudy Abeyta. Also present were Interim Town Manager Abigail Adame, Town Attorney Renee Barela-Gutierrez and Deputy Town Clerk Joella Gallegos.

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3. PLEDGE OF ALLEGIANCE: Councilmember Cordova led the audience in the pledge of allegiance.

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**4. APPROVAL OF AGENDA:
CHANGE under Promotions for Tomas Medina from Public Works Foreman/Superintendent to Public Utilities Foreman/Superintendent.**

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ADD under Awards and Recognition Item B. Acknowledgment of Animal Control Officers Week.

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34

MOVE item 14 to Citizens Forum Item F. (Discussion regarding the purchase of art in public places).

35
36

MOVE item 8 to item 6.C (Mayor's Youth Advisory Council).

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39

ADD under Executive Session for discussion Item D. limited personal matters regarding the HR Director.

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Councilmember Abeyta made a motion to approve the Agenda as amended. Councilmember Cordova seconded the motion. The motion carried unanimously.

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**5. APPROVAL OF MINUTES:
Staff Briefing and Special/Workshop Meetings**

1 *(March 4, 2008) Staff Briefing/Workshop Meeting*
2 **(No minutes for the March 4, 2008 Council Briefing Meeting, meeting was**
3 **cancelled)**

4
5 *(March 11, 2008) Special/Workshop Meeting*
6 **On page 1 line 2 title Town Council Special Meeting and Workshop Meeting**
7 **On page 1 line 10 change Staff Briefing to Special Meeting**
8 **Page 3 of 6 line 19 change Special to Workshop**

9
10 **Councilmember Cordova made a motion to approve the Minutes of March 11,**
11 **2008 Special/Workshop Meeting Monthly Department Staff Briefing/Workshop**
12 **Meeting as amended. Councilmember Sanchez seconded the motion. The**
13 **motion carried unanimously.**

14
15 *(March 13, 2008) Continuation of March 11, 2008 Meeting*
16 **Councilmember Cordova made a motion to approve the Minutes of March 13,**
17 **2008 Continuation of March 11, 2008 Meeting. Councilmember Quintana**
18 **seconded the motion. The motion carried unanimously.**

19
20 *(March 20, 2008) Regular Meeting*
21 **Page 4 of 14 line 12 change reappointed to reappoint**
22 **Show in the record that Councilmember Sanchez ABSTAINED from voting on**
23 **all minutes for February**
24 **Page 11 of 14 line 29 add Public to Recreational Use**

25
26 **Councilmember Abeyta made a motion to approve the Minutes of the March 20,**
27 **2008 Regular Meeting as amended. Councilmember Cordova seconded the**
28 **motion. The motion carried unanimously.**

29
30 *(March 6, 2008) Special Meeting*
31 **Councilmember Cordova made a motion to approve the Minutes of the March 6,**
32 **2008 Special Meeting. Councilmember Abeyta seconded the motion. The**
33 **motion carried unanimously.**

34
35 *(March 17, 2008) Special Meeting*
36 **Councilmember Quintana made a motion to approve the Minutes of the March**
37 **17, 2008 Special Meeting. Councilmember Sanchez seconded the motion. The**
38 **motion carried unanimously.**

39
40 *(March 27, 2008) Special Meeting*
41 **Page 4 of 4 line 11 change Struck to Sanchez**
42 **Page 2 of 4 line 28 and 29 include to statement (line 28) Cordova stated that he**
43 **wants the legal department to start working on the issue of Affordable Housing**
44 **arising from a legal perspective.**

1 (line 29 should state) Councilmember Cordova stated he wanted the legal
2 department to address the issue of the contract to find out what issues could be
3 handled by our legal staff and what needs to be contracted out.
4

5 Page 2 of 4 line 20 let if reflect in the record that the funding was specifically for
6 the little league.
7

8 Councilmember Quintana made a motion to approve the Minutes of the March
9 27, 2008 Special Meeting as amended. Councilmember Cordova seconded the
10 motion. The motion carried unanimously.
11

12 **6. AWARDS AND RECOGNITIONS:**

13 **A. Employee Appointments, Amy Seidel, HR Department**
14

15 **APPOINTMENTS:**

16 Allen Vigil
17 Planning Department
18 Planning Director
19 Full-Time
20 4/07/2008
21

22 Councilmember Cordova made a motion to approve the appointment as
23 presented. Councilmember Quintana seconded the motion. The motion was
24 approved by an affirmative vote. Those voting AYE were: Councilmembers:
25 Cordova, Abeyta, Sanchez and Quintana.
26

27 *Allen Vigil was sworn in by Municipal Judge Chavez.*
28

29 **NEW HIRES:**

30 Amy Alanis
31 Library
32 Administrative Assistant
33 Full-Time
34 3/17/2008
35

36 Councilmember Abeyta made a motion to approve the appointment as
37 presented. Councilmember Cordova seconded the motion. The motion was
38 approved by an affirmative vote. Those voting AYE were: Councilmembers:
39 Cordova, Abeyta, Sanchez and Quintana.
40

41 Lauren Felts
42 Police Department
43 Records Technician
44 Full-Time
45 3/31/2008
46

1 **Councilmember Cordova made a motion to approve the appointment as**
 2 **presented. Councilmember Quintana seconded the motion. The motion was**
 3 **approved by an affirmative vote. Those voting AYE were: Councilmembers:**
 4 **Cordova, Abeyta, Sanchez and Quintana.**

5
 6 Gavin Wallach
 7 Police Department
 8 Police Officer II
 9 Full-Time
 10 4/07/2008

11
 12 **Councilmember Cordova made a motion to approve the appointment as**
 13 **presented. Councilmember Sanchez seconded the motion. The motion was**
 14 **approved by an affirmative vote. Those voting AYE were: Councilmembers:**
 15 **Cordova, Abeyta, Sanchez and Quintana.**

16
 17 **PROMOTIONS:**

18
 19 Thomas Medina
 20 From: Public Utilities Foreman
 21 To: Public Utilities Superintendent
 22 3/08/2008

23
 24 **Councilmember Quintana made a motion to approve the promotion as**
 25 **presented. Councilmember Cordova seconded the motion. The motion was**
 26 **approved by an affirmative vote. Those voting AYE were: Councilmembers:**
 27 **Cordova, Abeyta, Sanchez and Quintana.**

28
 29 **B. Acknowledgment of Animal Control Officers Week**

30 Mayor Duran presented plaques of acknowledgment and appreciation to Town of
 31 Taos Animal Control Officer Paul Martinez and Taos County Animal Control
 32 Officer Hector Salcido

33 **C. MAYOR’S YOUTH ADVISORY COUNCIL**

34 Benita Lujan Co-Chair (MYAC) presented accomplishments and goals for the
 35 Mayor’s Youth Advisory Council

36 **D. Star Department Presentation**

37 Mayor Duran recognized the Transportation Department as the Star Department
 38 for the month of April

39

40 **7. Citizens Forum:**

41 The following people came forward:

42 **A. Jeff McElroy and Dennis Hedges – update on RFP for Youth Violence; Taos**
 43 **Knighthawks Chess Team**

44 **B. Carl Colonius – update on RFP for Youth Violence; Rocky Mountain Youth**
 45 **Corps**

1 **C. Rich Sanders, Lions Club – Informational Presentation regarding Operation**
 2 **KidSight**

3 **D. Presentation of Proclamation for “Foster Parent Month”.**

4 **E. Frank and Judy Fraijo presented to council a proposal to purchase a piece of**
 5 **art by the Town of Taos**

6 **F. David Fernandez thanked council for getting along**

7 **G. Mauro Rosales presented information regarding Taos Community**
 8 **Auditorium.**

9 **8. CONSENT AGENDA**

10 **The Mayor presented the following consent agenda to the Council. He read each**
 11 **item on the agenda and advised the Council that they could request any item be**
 12 **removed from the consent agenda if they wanted to discuss such item:**

13 *The items in the Consent Agenda below have been reviewed and discussed in detail by the Mayor and*
 14 *Council at their Monthly Workshop Meeting on April 8, 2008. By consensus the Governing Body agrees*
 15 *to place these items on the Consent Agenda for the purpose of voting on all items with one vote.*

16 **A. Ron Yachinich, Convention Services Director**

17 Approval for Jeanne Kitzman to travel to Long Beach, CA for 12th Annual
 18 HSMIA Affordable Meetings West Trade Show June 10-12, 2008 at the Long
 19 Beach Convention Center. Total estimated cost of trip: \$4,001.00

20 **B. Francella Garcia, Grants Administrator**

21 Approval and acceptance of Memorandum of Understanding TT-08-47 between
 22 the Town of Taos and the Dream Tree Project to act as the fiscal agent for
 23 legislative appropriation 07-L-G-5602 for the purpose of purchasing and
 24 equipping a van. The fair market value on the 2008 Chevrolet Uplander Mini-
 25 Van to be purchased with the legislative appropriation amounts to \$17,179.00
 26 with a fair market rental value of \$238.60 per month.

27 **C. Francisco “French” Espinoza, Public Works Director**

- 28 1. Review and approval to enter into signalization and lighting agreement
 29 between the Town of Taos and NMDOT for NM585. This agreement would
 30 target the intersection of NM585 and NM68 for signalization. Pedestrian
 31 crossing beacons and advanced hazard identification beacons will be installed
 32 at GUSDORF Road, Weimer Road, and Camino de Colores intersections.
 33 Lighting would be installed for all four intersections.
- 34 2. Review and approval to amend existing contract to authorize additional term,
 35 between Woolpert Inc. and the Town of Taos. Woolpert was awarded the
 36 contract from RFP 04-05-22 to be renewed up to four years. This will be the
 37 fourth year of the contract. Amount in budget is \$53,607.54.
- 38 3. Approval and consideration of Out of State travel for Delilah Garcia, Transit
 39 Superintendent to attend the 3rd Annual FTA Drug and Alcohol Program
 40 National Conference in Orlando, FL between April 30th and May 2nd. Based
 41 on actual expenses. Expenses will be reimbursable by the state as
 42 Administrative expenses. Estimated cost of trip: \$1077.53

43 **D. Eric Montoya, Administrative Fire Chief**

44 Recommendation to approve purchase of a new Air Compressor with Purification
 45 System in the Amount of \$43,600.00 from Fire Service Equipment. It is a Two
 46 Bottle Charging Station and a Horizontal Six Bottle Cascade System with all
 47 Required Plumbing and Storage Rack to be Delivered and Installed at the Taos

1 Fire Department. Items needed are required by NFPA and ISO for firefighter
 2 safety and for the filling of our current air packs. As per bid 07-08-17 advertised
 3 in the Albuquerque Journal on March 16-17, 2008 and the Taos News on March
 4 20, 2008.

5 **E. Marietta Fambro, Finance Director**

6 Approval of Resolution 08-19 Budget Adjustment Request - 1) General Fund (11)
 7 - Increase Interfund Transfer Out and decrease Unreserved Fund Balance in the
 8 amount of \$20,000 to cover expenditures for Taos County Courthouse Restrooms
 9 and \$15,000 to cover additional costs for EIS. 2) Community Grants Fund (30) -
 10 Increase Interfund Transfer In by \$20,000 and transfer from Economic
 11 Development - CIDirect project in the amount of \$50,000 to the Taos County
 12 Courthouse Restrooms project - total amount \$70,000. 3) Airport Improvements
 13 Fund (52) - Increase Interfund Transfer In by \$15,000 and increase expenditures
 14 for additional costs for the EIS. 4) **Capital Improvement Fund (51)** - a).
 15 Increase revenues and expenditures in the amount of \$100,000 for a donation
 16 received from Taos Center of the Arts for TCA Improvements, b). Transfer from
 17 Airport Substation Project to TCA Improvements for \$172,000 to cover award
 18 amount of the project.

19 **F. Mark Fratrack, Airport Manager**

20 NDB (Non-Directional Beacon) deactivation; proposal to take the NDB out of
 21 service.

22 **Councilmember Abeyta made a motion to approve the Consent Agenda as**
 23 **presented. Councilmember Sanchez seconded the motion. The motion was**
 24 **approved by an affirmative vote. Those voting AYE were: Councilmembers**
 25 **Quintana, Sanchez, Cordova, and Abeyta.**

26
 27 **9. MATTERS FROM STAFF**

28 **A. Tina Torres, Purchasing Agent**

29 Consideration and action to approve the purchase of a Spacesaver High Density
 30 Storage System from Spacesaver Storage Systems Inc c/o Improve Group in the
 31 amount of \$59,731.72 inclusive of GRT under GSA Contract # GS-28F-1003C.
 32 This system is being purchased under line item 51-21-45002 - Town Hall
 33 Expansion and will be to be used at the new records center to be located at the
 34 Town Clerk's office. *(With Renee Lucero, Town Clerk)*

35
 36 **Councilmember Cordova made a motion to approve the item as presented.**
 37 **Councilmember Quintana seconded the motion. The motion was approved**
 38 **by an affirmative vote. Those voting AYE were: Councilmembers Quintana,**
 39 **Sanchez, Cordova, and Abeyta.**

40
 41 **B. Marietta Fambro, Finance Director**

42 1. Request approval to award contract for Taos Community Auditorium
 43 Improvement project to MSR (Michael S. Rich Contractors, Inc) in the
 44 amount of \$1,263,003, NMGRT \$100,250.86 for a total amount of
 45 \$1,363,253.86.

1 **Councilmember Cordova made a motion to approve the item as**
 2 **presented. Councilmember Sanchez seconded the motion. The motion**
 3 **was approved by an affirmative vote. Those voting AYE were:**
 4 **Councilmembers Quintana, Sanchez, Cordova, and Abeyta.**

- 5
 6 2. Approval of Resolution 08-20 Budget Adjustment Request - Wastewater
 7 Treatment Fund (63) - Decrease Unreserved Fund Balance in the amount of
 8 \$10,000 to cover expenditures to purchase purification system at treatment
 9 plant.

10
 11 **Councilmember Cordova made a motion to approve the item with the**
 12 **understanding in the contract that if the town is not satisfied within 90**
 13 **days the town can get their money back. Motion died for lack of second.**

14
 15 **C. Renee Lucero, Town Clerk**

16 Consideration and approval of a special dispenser permit application for Liquor
 17 License No. 2660 (Shadow’s Lounge & Grill) for DMC Broadcasting, Inc. for the
 18 Mother’s Day Music on the Park celebration to be held at Filemon Sanchez Park
 19 on May 10 & 11, 2008 from Noon to 10:00 p.m. Up to 4,500 people are expected
 20 to attend.

21
 22 **Councilmember Abeyta made a motion to approve the item as presented.**
 23 **Councilmember Quintana seconded the motion. The motion was approved**
 24 **by an affirmative vote. Those voting AYE were: Councilmembers Quintana,**
 25 **Sanchez, and Abeyta. Councilmember Cordova Abstained.**

26
 27 **10. PUBLIC HEARINGS**

28 **Renee Lucero, Town Clerk**

29 Consideration and approval of Transfer of Location of Club Liquor License
 30 #8186/Application No. 548158 for Taos Yacht & Sports Club, Inc located at 1109
 31 Paseo del Pueblo Sur.

32
 33 Santiago Chavez presented plans for Taos Yacht and Sports Club to the Mayor and
 34 Council. He stated that it is a non-profit organization. They have a capacity of 78
 35 that was set by the Fire Dept. They have complied with all regulations. They will
 36 have a card reader at the door and only members will be allowed, however a member
 37 can sign in up to 2 people.

38
 39 **Public Opinion**

40 **Mayor Duran opened the public hearing. The following people came forward:**

41
 42 Priscilla Rael was sworn in by Town Attorney Renee Barela-Gutierrez. She spoke on
 43 behalf of the club. She stated how the club had helped her son with various fund
 44 raising events.

1 **After closing the public hearing, Mayor Duran asked for questions from the**
2 **Council.**

3
4 Councilmember Sanchez asked if the membership allowed for 250 guests. Also, if it
5 allowed for them to bring in two guests on a nightly basis.

6
7 Santiago Chavez stated that the law allows for two guests if they are signed in upon
8 arrival.

9
10 Councilmember Cordova asked who the owners of the Taos Yacht and Sports Club
11 were.

12
13 Santiago Chavez stated that the Taos Yacht and Sports Club Incorporated were the
14 owners.

15
16 Councilmember Cordova asked if they were directed by the Board.

17
18 Santiago Chavez stated that they were.

19
20 **Councilmember Cordova made a motion to approve the item as presented.**
21 **Councilmember Sanchez seconded the motion. The motion was approved by an**
22 **affirmative vote. Those voting AYE were: Councilmembers Quintana, Sanchez,**
23 **Cordova, and Abeyta.**

24
25 **11. MATTERS FROM THE TOWN ATTORNEY**

26 **A. Discussion on proposed Ordinance banning plastic bags.**

27
28 Town Attorney Renee Barela-Gutierrez went over 4 proposed ordinances for
29 ideas to be used for the plastic bag ordinance.

30
31 Councilmember Sanchez stated that he liked the proposed ordinance.

32
33 Councilmember Abeyta spoke about the 4 cities that were looked at, but only one
34 has enacted it. He would support the ordinance as proposed.

35
36 Councilmember Cordova asked in regards to these cases that are under litigation,
37 if Town Attorney Gutierrez felt that they had a case.

38
39 Town Attorney Barela-Gutierrez stated that yes she believes that a plaintiffs
40 attorney could argue that the ordinance does violate their client's rights by
41 enacting such ordinance by prohibiting them to conduct business within the Town
42 of Taos

43
44 Councilmember stated that he would support the ordinance.

45

1 Councilmember Quintana stated that she did not like the hard nose approach and
2 would prefer to go with a transition instead to the allow people to have an option.
3

4 Town Attorney stated that they could address that by making the ordinance
5 effective within six months.
6

7 Town Attorney Barela-Gutierrez stated that if anyone wanted a copy of the
8 proposed ordinance they are available by email copy or hard copy. She stated that
9 she wanted to point out the prohibitions and requirements on the proposed
10 ordinance. This ordinance would be enforced civilly and not criminally.
11

12 Mayor Duran recommended adding it to next month's agenda as a public hearing.
13 This would allow for any revisions to be made.
14

15 Town Attorney Barela-Gutierrez stated that if this ordinance is approved she
16 recommends that the Council urge the County Commissioners to pass the same
17 ordinance. This is what was done with the cell phone ordinance.
18

19 **B. Discussion and approval of Resolution 08-21 appointing a voting member and**
20 **alternate to the Taos Regional Landfill Board and Intergovernmental Council.**
21

22 Town Attorney Renee Barela Gutierrez explained that Councilmember Quintana
23 will be the voting member for the Landfill and Councilmember Sanchez will be
24 the Alternate. Councilmember Cordova will be the voting member for the IGC
25 and Councilmember Abeyta will be the alternate. The other voting members in
26 their absence can be the Town Manager, the Town Attorney, the Finance
27 Director, the Public Works Director, and the Public Relations Director.
28

29 Mayor Duran asked that the Mayor be added as a voting party as well.
30

31 **Councilmember Cordova made a motion to approve the item as amended to**
32 **include the Mayor. Councilmember Quintana seconded the motion. The**
33 **motion was approved by an affirmative vote. Those voting AYE were:**
34 **Councilmembers Quintana, Sanchez, Cordova, and Abeyta.**
35

36 **C. Discussion and approval of a modification to an existing JPA on membership on**
37 **the Taos Regional Landfill Board.**
38

39 Town Attorney Renee Barela Gutierrez stated that this was the first time there had
40 been revisions made to the JPA since it came into existence.
41

42 Councilmember Cordova stated that he was aware of a separate agreement and
43 asked if the Town Attorney could get them the agreement.
44

45 Town Attorney Gutierrez stated that it had been added to this JPA.
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Councilmember Cordova made a motion to approve the item as presented. Councilmember Quintana seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Councilmembers Quintana, Sanchez, Cordova, and Abeyta.

12. MATTERS FROM THE TOWN MANAGER

A. Consideration and approval of Resolution 08-08 - Council Rules of Procedure.

Councilmember Cordova made a motion to strike the last sentence in its entirety on page 2 paragraph 2.5 and on page 4 under item I the word “appropriately” should be stricken. Councilmember Abeyta seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Councilmembers Quintana, Sanchez, Cordova, and Abeyta.

Councilmember Quintana made a motion to approve the item as amended. Councilmember Cordova seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Councilmembers Quintana, Sanchez, Cordova, and Abeyta.

B. Discussion regarding the Farmers Market.

Interim Town Manager Abigail Adame presented the update on the Farmers Market. She stated that the Farmers Market representatives declined the proposal that the town offered. She stated that they will be going before the school board to acquire the property at Enos Garcia Elementary.

Councilmember Abeyta stated that he was saddened that a resolution could not be met. He stated that the intent of the Council was to be inclusive and not to tell the Farmers Market vendors how do business.

C. Discussion regarding Ledoux Street Neighborhood Business Association.

Interim Town Manager Adame presented the item to the Council. There is a recommendation from the Association to name the street Ledoux Street. She introduced Ingrid Jurby to present their request.

Councilmember Sanchez stated that he supports the Association.

Councilmember Cordova asked French Espinoza what his perspective was on this matter.

French Espinoza stated that he has been working with this association for the past six years. He stated that it probably would be an expensive change but he stated he felt that it would help the businesses in this location to prosper.

1 Councilmember Cordova asked Mr. Espinoza what he meant by an expensive
2 change.

3
4 French Espinoza stated that the mapping would need to change for emergency
5 services.

6
7 Mayor Duran stated that would also affect the addresses in the area.

8
9 Mayor Duran stated that the Council needs to makes sure that this does not impact
10 the businesses in the area, especially First Community Bank. We need to allow
11 them time to change due to them having stationery ordered in advance. He
12 recommended that staff do more research and bring the item back in May at the
13 Workshop Meeting.

14
15 **14. EXECUTIVE SESSION:**

16 Councilmember Abeyta made a motion to go into Executive Session to discuss
17 A) pending litigation regarding Abeyta Adjudication; B) limited personnel
18 matters regarding the Youth & Family Center Director; and C) limited
19 personnel matters regarding the Airport Manager. Pursuant to NMSA 1978 10-
20 15-1-H.7. and 2.

21
22 Councilmember Cordova seconded the motion. The motion was confirmed by
23 an affirmative vote. Those voting AYE were: Councilmembers Quintana,
24 Sanchez, Cordova, and Abeyta.

25
26 At 11:04 p.m., Councilmember Cordova made a motion to come out of Executive
27 Session and stated that discussion in the Executive Session was limited to the
28 item as it was called for. Councilmember Quintana seconded the motion. The
29 motion was confirmed by an affirmative vote. Those voting AYE were:
30 Councilmembers Quintana, Sanchez, Cordova, and Abeyta.

31
32 **15. ADJOURNMENT:** A motion was made by Councilmember Cordova and
33 seconded by Councilmember Quintana to adjourn the meeting. The motion
34 carried unanimously and the meeting adjourned at 11:08 p.m

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36
37
38 **APPROVED:**

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41 _____
42 Bobby F. Duran, Mayor
43
44
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1 **ATTEST:**

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5 _____
Renee Lucero, Town Clerk