

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

**MINUTES  
REGULAR COUNCIL MEETING**

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

**May 20, 2008  
6:30 PM**

**1. CALL TO ORDER: The Regular Meeting of the Taos Town Council was called to order by Mayor Pro Tem Rudy Abeyta at 6:34 p.m.**

**2. ROLL CALL: Ms. Tammie Romero, Executive Assistant called roll and a quorum was present.**

**Present:**

**Mayor Pro Tem, Rudy Abeyta;  
Councilmembers, Darren Cordova, Eugene Sanchez, and Amy Quintana;  
Interim Town Manager, Abigail Adame; and  
Town Attorney, Renee Barela-Gutierrez.**

**Absent:**

**Mayor Bobby F. Duran was attending an out of town meeting.**

**3. PLEDGE OF ALLEGIANCE:  
Interim Town Manager, Abigail Adame led the audience in the pledge of allegiance.**

**4. APPROVAL OF AGENDA:  
Delete Item 8, Mayor's Youth Advisory Council; no one to represent.**

**Councilmember Sanchez made a motion to approve the Agenda as amended. Councilmember Quintana seconded the motion. The motion carried unanimously.**

**5. APPROVAL OF MINUTES:**

*April 30, 2008 Joint Town/County Meeting*

p. 2 of 6; line 9. ADD: He proposes that we review the documents and place them on a Special Meeting Agenda as a joint resolution.

p. 2 of 6; line 18. ADD Correction: Town Attorney Barela-Gutierrez stated that the draft was prepared based upon information provided to her.

1 **Councilmember Cordova made a motion to approve the Minutes of April 30,**  
2 **2008 Joint Town/County Meeting as amended. Councilmember Quintana**  
3 **seconded the motion. The motion carried unanimously.**

4  
5 *May 5, 2008 Budget Retreat*  
6 p. 3 of 5; Line 4. ADD: Councilmember Sanchez made statement/comment that  
7 he wanted chili line removed from lodger’s tax fund and funded from other  
8 source.

9  
10 **Councilmember Quintana made a motion to approve the Minutes of the May**  
11 **5, 2008 Budget Retreat as amended. Councilmember Cordova seconded the**  
12 **motion. The motion carried unanimously.**

13  
14 *May 6, 2008 Budget Retreat*  
15 p. 3 of 4; line 34. ADD: Discussion regarding Department of Transportation  
16 action on Kit Carson Road. Councilmember Sanchez opposes.

17  
18 **Councilmember Cordova made a motion to approve the Minutes of the May**  
19 **6, 2008 Budget Retreat as amended. Councilmember Quintana seconded the**  
20 **motion. The motion carried unanimously.**

21  
22 *May 7, 2008 Budget Retreat*

23  
24 **Councilmember Cordova made a motion to approve the Minutes of the May**  
25 **7, 2008 Budget Retreat as presented. Councilmember Quintana seconded the**  
26 **motion. The motion carried unanimously.**

27  
28 **Councilmember Cordova recommended that summary be put on all regular**  
29 **meeting minutes indicating that a more detailed version of minutes are**  
30 **available the Taos Local Television website.**

31  
32 **6. AWARDS AND RECOGNITIONS:**

33 **A. Ms. Amy Seidel, Interim Human Resources Director presented the following**  
34 **appointments, promotions, and Separations made by the Mayor and respectfully**  
35 **requested the concurrence of the Council:**

36  
37 **NEW HIRES:**

38  
39 Amanda Archuleta  
40 Central Communications  
41 CEO Trainee  
42 Full-Time  
43 4/20/08

44  
45 **Councilmember Cordova made a motion to approve the item as presented.**  
46 **Councilmember Quintana seconded the motion. The motion was approved by an**

1 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**  
2 **Councilmembers Cordova, Sanchez, and Quintana.**

3  
4 Patrick C. Rael  
5 Parks Department  
6 Parks Maintenance Specialist II  
7 Full-Time  
8 4/21/08  
9

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

14  
15 Rene Ramirez  
16 Central Communications  
17 CEO Trainee  
18 Full-Time  
19 4/28/08  
20

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

25  
26 Eric Cortez  
27 Airport  
28 Airport Maintenance Specialist  
29 Full-Time  
30 5/05/08  
31

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

36  
37 **PROMOTIONS:**  
38

39 Eric Fresquez  
40 From: Public Utilities Operator II  
41 To: Public Utilities Foreman  
42 4/19/08  
43

44 **Councilmember Cordova made a motion to approve the item as presented.**  
45 **Councilmember Quintana seconded the motion. The motion was approved by**

1 **an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**  
2 **Councilmembers Cordova, Sanchez, and Quintana.**

3  
4 **SEPARATIONS:**

5  
6 Lawrence Hahn  
7 Airport  
8 Airport Maintenance Specialist  
9 4/17/08

10  
11 Paul Allen  
12 Fire Department  
13 Firefighter II  
14 4/21/08

15  
16 Brenda Cordova  
17 Human Resources  
18 HR Director  
19 4/24/08  
20

21 **7. CITIZENS FORUM:**

22 The following people came forward:

23  
24 **A. Bill Soares, school bus driver, addressed school bus safety issues.**

25  
26 **B. Patti Martinson and Terry Badhand from the Taos County Economic**  
27 **Development Corporation Presented RFP Update.**

28  
29 **C. Beverly Koon, Taos Swim Club Presented RFP Update.**

30  
31 **D. Recognition of New Mexico Historic Preservation Association of Town of**  
32 **Taos Dark Skies Ordinance Task Force (Richard Kuska). Plaque presented**  
33 **to Allen Vigil for his participation.**

34  
35 **E. Walter Vigil and Mike Martinez, representing HRDA Drug Court requesting**  
36 **funds to purchase incentives for clients who demonstrate progress within the**  
37 **program. Council directed Mr. Vigil & Mr. Martinez to contact Tina Torres**  
38 **regarding the RFP process.**

39  
40 **8. MAYOR'S YOUTH ADVISORY COUNCIL: REMOVED No representation.**

41  
42  
43  
44  
45

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

4 **9. CONSENT AGENDA**

5 **A. Daron Syling, Chief of Police**

- 6 1. Authorization to extend contract TT-95-156 with the Human Resource  
7 Development Associates, Inc. "Community Custody Services (Electronic  
8 Monitor device - ankle bracelet)" and changing the amount from \$15/day to  
9 \$17/day.
- 10 2. Consideration and approval to purchase the radio communication equipment  
11 and installation in the amount of \$27,404.88 for the Fire Department / Police  
12 Department Mobile Command Unit from Commtech (GSA# GS-35F-048ST)  
13 which is funded by a CIP. *(With Tina Torres, Purchasing Agent)*
- 14 3. Approval to enter into a 48 month lease with Xerox @ \$406.08 monthly rental  
15 on a WorkCentre 7335P for the Records Department at the Police Department.  
16 The lease includes 4,000 b/w and 250 free color copies per month, excess  
17 copies will be billed separately at \$.0139 b/w and \$ .0849 for color copies.  
18 State Contract # 072164800; Line Item # 11-14-43001 – Supplies; Line item #  
19 11-14-43005 – Rentals. *(With Tina Torres, Purchasing Agent)*
- 20 4. Consideration and approval to send Officer Philip Holmes - out of state travel  
21 to attend the Emergency Management Training held in Baltimore, Maryland.  
22 The training is scheduled for July 13-17, 2008. Total cost of trip will be paid  
23 by Taos Municipal Schools.

24 **B. Ron Yachinich, Convention Services Director**

- 25 1. Consideration and approval of Resolution 08-25 granting a waiver to Taos  
26 Convention Center allowing the sale, dispensing and serving of alcohol  
27 pursuant to NMSA 60-6B-10.
- 28 2. Consideration and approval of Resolution 08-27 replacing Resolution 08-23  
29 revising the standard policy on food and alcohol service at the Taos  
30 Convention Center.

31 **C. Reuben Martinez, IT Manager**

32 Consideration and approval of Contract Renewal 2nd year, TT-95-180 One  
33 Connect IP, Telephone service provider with a maximum per month cost of  
34 \$6,000.00 inclusive of gross receipts tax. An annual cost of \$72,000.00 inclusive  
35 of gross receipts tax.

36 **D. Matthew Foster, Long-Range Planner**

37 Approval of Resolution 08-31 supporting a grant application to the Clean Energy  
38 Projects.

39 **E. Miranda Quintana, Youth & Family Center Superintendent**

40 Authorization to enter into a contract in the amount of \$31,793.10 with Pool Pro,  
41 Inc. for the purchase and installation of ultra violet light filtration system for the  
42 swimming pool per New Mexico State price agreement 72-000-00-04019;  
43 \$23,631.00 will be paid from line item 51-16-45006 and \$8,162.10 will be paid  
44 from line item 50-35-45006. *(With Tina Torres, Purchasing Agent)*

45 **F. Marietta Fambro, Finance Director**

46 Approval of Resolution 08-20 Budget Adjustment Request - 1) Capital  
47 Improvements Fund (51) - a) Transfer from capital expense to operating for the

1 coin machine counter in the amount of \$4,000. b) Transfer from capital expense  
2 to operating for maintenance at parks in the amount \$10,000. 2) General Fund  
3 (11) - Increase Interfund transfer Out and decrease unreserved Fund Balance in  
4 the amount of \$40,000 to cover operational cost for the Transportation  
5 Department. 3) Transportation Fund (29) - Increase Interfund transfer in and  
6 personnel services in the amount of \$40,000 to cover operational cost for  
7 Transportation Department.

8 **G. Amos Torres, Public Utilities Director**

9 Consideration and approval to allow the Vista del Canon Condominiums to  
10 connect to the Town of Taos wastewater collection system. Vista del Canon  
11 Condominiums are located outside of Town limits.

12 **H. Renee Lucero, Town Clerk**

13 Approval to destroy records eligible for destruction (2006 Election records and  
14 2008 marked paper ballots pursuant to state statute (3-8-62, NMSA 1978)) per  
15 Resolution 98-49 which adopts the NM Commission of Public Records (NM State  
16 Records Center and Archives) retention and disposition schedules.

17 **I. Matters From Mayor And Council**

18 Approval of Resolution 08-29 approving participation in the program of the North  
19 Central New Mexico Economic Development District.

20 **Councilmember Sanchez requested having Items 9.B.1. and 9.E. removed from**  
21 **the consent agenda for further discussion.**

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

27  
28 **9.B.1. Ron Yachinich, Convention Services Director**

29 Consideration and approval of Resolution 08-25 granting a waiver to Taos  
30 Convention Center allowing the sale, dispensing and serving of alcohol  
31 pursuant to NMSA 60-6B-10.

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

37  
38 **9.E. Miranda Quintana, Youth & Family Center Superintendent**

39 Authorization to enter into a contract in the amount of \$31,793.10 with Pool  
40 Pro, Inc. for the purchase and installation of ultra violet light filtration system  
41 for the swimming (kiddy) pool per New Mexico State price agreement 72-  
42 000-00-04019; \$23,631.00 will be paid from line item 51-16-45006 and  
43 \$8,162.10 will be paid from line item 50-35-45006. *(With Tina Torres,*  
44 *Purchasing Agent)*

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

5  
6           **10. MATTERS FROM STAFF**

7           **A. Matthew Foster, Long-Range Planner**

- 8           1. Accepting the Historic Preservation Division Grant to complete the  
9           nomination of Rural Historic Landscapes to the Federal Register of Historic  
10           Places and the State Register of Historic Cultural Properties.

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

- 16  
17           2. The Planning Director and the Long Range Planner are requesting approval to  
18           travel to Denver, Colorado, to attend the Smart Code Workshop on May 29th  
19           - 31st. Hotel expenses are \$126.28 per night. Estimated total cost is \$700.  
20           Place Makers is providing scholarships to the Town for the registration fee.  
21           This request is for actual expenses.

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

27  
28           **B. Amos Torres, Public Utilities Director**

- 29           Consideration and approval to allow the Town of Taos to use composting as the  
30           future method of sludge disposal.

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

36  
37           **11. PUBLIC HEARINGS**

38           **A. Renee Barela-Gutierrez, Town Attorney**

- 39           1. Adoption of Ordinance 08-07; An Ordinance adopting by reference the 2006  
40           New Mexico Building Codes to the Mayor Pro-Tem and Council.

41  
42           Mayor Pro Tem Abeyta invited Buildings Director Mauro Rosales to provide  
43           feedback on this issue.

1 Mr. Rosales stated that this is not his agenda item, however, the municipal  
2 codes have to follow codes that the state adopts which is why this item is on  
3 the agenda.

4  
5 ***Public Opinion***

6 **Mayor Pro Tem Abeyta opened the public hearing. No one came forward.**

7  
8 Mayor Pro Tem Abeyta asked for questions/comments from the Council.

9  
10 Councilmember Sanchez stated that he did not see the code for fire safety. It  
11 use to be called Life Safety Code. What do we do there?

12  
13 Town Attorney Barela-Gutierrez explained that it might be under a separate  
14 adoption. This one deals only with buildings. She asked Fire Chief Montoya  
15 to expand upon that.

16  
17 Chief Montoya stated that this only pertains to the building side of the  
18 international code. The international fire code was just recently adopted by  
19 the State Fire Marshal's office which will be presented to you in time.

20  
21 Councilmember Sanchez asked who in the Planning Department enforces  
22 these codes? Who's inspecting these?

23  
24 Allen Vigil stated that the entire building codes are enforced by the Building  
25 Safety Division of the Planning Department.

26  
27 Councilmember Sanchez asked if they check to find out if the buildings are  
28 within the code as far as heat loss is concerned.

29  
30 Allen Vigil stated yes. Most of the time there is a stamp placed on plans  
31 certified in compliance with structural, energy, electrical and mechanical  
32 codes.

33  
34 **Councilmember Quintana made a motion to approve as presented.**  
35 **Councilmember Sanchez seconded the motion. The motion was approved**  
36 **by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta**  
37 **and Councilmembers Cordova, Sanchez and Quintana.**

38  
39 2. **Renee Barela-Gutierrez, Town Attorney, presented**

40 Adoption of Ordinance 08-08; An Ordinance banning the use of non-  
41 biodegradable plastic carry-out bags at point of sale by retail establishments in  
42 the Town of Taos and providing education and incentives for shoppers to use  
43 reusable bags at affected retail establishments in the Town of Taos to the  
44 Mayor Pro Tem and Council.

1                   ***Public Opinion***

2                   **Mayor Pro Tem Abeyta opened the public hearing. The following people**  
3                   **came forward:**

4  
5                   Gene Valdez, Executive Director of the NM Grocery Association stated that  
6                   he not completely oppose, however would like to get together with the town  
7                   council to discuss a proactive solution.

8  
9                   Glenn Pike is a supporter.

10  
11                  Rachael Templeton, representing Rivers & Birds / Wild Earth Youth Alliance  
12                  is in support of banning plastic bags.

13  
14                  Dillion Felt, also with Rivers & Birds, is in full support of banning plastic  
15                  bags.

16  
17                  Joan Greene, representing herself and the environment, shared a handout  
18                  consisting of reasons why to ban plastic bags. References were included.

19  
20                  Melissa Larson is in support of banning plastic bags.

21  
22                  Sandra Richardson supports banning plastic bags. She shared information on  
23                  the affects of one person's contribution.

24  
25                  Roberta Salazar, Rivers & Birds, supports banning plastic bags.

26  
27                  **After closing the pubic hearing Mayor Pro Tem Abeyta asked for**  
28                  **questions/comments from council.**

29  
30                  Councilmember Sanchez stated that it is very hard to make changes. He  
31                  believes that we need to go forward with this ordinance. As it stands now he is  
32                  for it.

33  
34                  Councilmember Cordova stated that he would like to thank the individuals  
35                  that came forward. He thinks it is great that we have progressive people  
36                  looking at our future for future generations. Right now he can't support  
37                  passing this, even though he supports the idea. He would recommend that we  
38                  table it, that we don't forget about it and that we continue to do research.

39  
40                  Councilmember Quintana stated that she, too, would like to research this more  
41                  before we pass it. She thinks it be should revisited.

42  
43                  Mayor Pro Tem Abeyta agrees that trash in the town and the county is a  
44                  serious problem. He is in support of the ban.

45

1 Councilmember Sanchez stated that what were asking for are bio degradable  
2 bags. He is for passing this particular ordinance.

3  
4 Councilmember Cordova stated that he mentioned before that sitting here is  
5 tough. This is a dear issue to him. He thinks that we just need to have a  
6 broader outreach out there and get more participation on this.

7  
8 **Councilmember Sanchez made a motion to approve the item as**  
9 **presented. Mayor Pro Tem Abeyta seconded the motion. The motion was**  
10 **not approved by an affirmative vote. Those voting AYE were: Mayor**  
11 **Pro Tem Abeyta and Councilmember Sanchez. Those voting NO were:**  
12 **Councilmembers Cordova and Quintana.**

13  
14 Councilmember Sanchez asked how this vote is interpreted? Why is it that the  
15 negative overrides the positive?

16  
17 Town Attorney Barela-Gutierrez explained that in order to pass an ordinance a  
18 majority of the governing body is required. This means that three out of five  
19 votes are needed, and because the governing body sits as four you would need  
20 three out of four votes. That is why it failed, due to a tie.

21  
22 3. **Renee Barela-Gutierrez, Town Attorney, presented** Adoption of Ordinance  
23 08-09; An ordinance repealing and replacing a portion of Title 3, Personnel,  
24 making all Town positions classified positions, with the exception of the five  
25 appointed officer positions which are prohibited from receiving classified  
26 status by state law.

27  
28 ***Public Opinion***  
29 **Mayor Pro Tem Abeyta opened the public hearing. No one came forward.**

30  
31 **After closing the public hearing, Mayor Pro Tem Abeyta asked for**  
32 **questions from the Council.**

33  
34 Councilmember Cordova referenced page 2 Section 3.64.150 C in regards to  
35 the Court Clerk Supervisor and Court Administrator, is it a requirement that  
36 they remain at-will employees?

37  
38 Town Attorney Barela-Gutierrez stated that Town of Taos Ordinance 90-1 is  
39 what made these two positions at-will.

40  
41 Councilmember Cordova asked if these positions would need to be handled  
42 separately.

43  
44 Town Attorney Barela-Gutierrez stated that they would because the other  
45 ordinance would need to be repealed.

46

1 Councilmember Cordova stated that he fully supports this ordinance.

2  
3 Mayor Pro Tem Abeyta stated that he supports making our sixteen directors  
4 classified.

5  
6 Councilmember Cordova stated that this all about being fair. He is glad to see  
7 that this is going in the right direction.

8  
9 Mayor Pro Tem Abeyta stated that he believes that if you have a director  
10 that's not performing and you go through due process then that subordinate  
11 can be fired with appropriate due process.

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

17  
18 **B Rudy Perea, Senior Planner, presented** Consideration of an appeal by Judith  
19 Loretto from a decision made by the Planning and Zoning Commission to deny a  
20 variance request from the Town of Taos Sign Code Ordinance on property located  
21 at 122 Paseo Del Pueblo Sur.

22  
23 *Public Opinion*

24 **Mayor Pro Tem Abeyta opened the public hearing. The following people**  
25 **came forward:**

26  
27 Judy Cantu stated that he has multiple tenants at Cantu Plaza. We need to draw  
28 the visitors to other businesses. The sign is for walking tourists. It's really  
29 important that we work with our retail businesses in Taos. This seems really  
30 minor, but it is important to the business people that are renting from him.

31  
32 Richard Leirer thinks this variance will not only beautify the plaza but it will help  
33 his business and other businesses south of the plaza. He hopes it will be  
34 considered.

35  
36 **After closing the public hearing, Mayor Pro Tem Abeyta asked for questions**  
37 **from the Council.**

38  
39 Councilmember Sanchez asked Rudy Perea if the Planning and Zoning  
40 Commission denied this because they do not have the authority to go beyond the  
41 20% variance.

42  
43 Rudy Perea stated that it was denied for that reason.

44  
45 **Councilmember Sanchez made a motion to approve the item as presented.**  
46 **Councilmember Cordova seconded the motion. The motion was approved by**

1 **an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**  
2 **Councilmembers Cordova, Abeyta, Sanchez and Quintana.**

3  
4 **Mayor Pro Tem Abeyta made a motion to take a ten minute break.**

5  
6 **Councilmember Quintana seconded the motion. The motion was approved**  
7 **by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta**  
8 **and Councilmembers Cordova, Abeyta, Sanchez and Quintana.**

9  
10 **12. MATTERS FROM THE TOWN ATTORNEY**

11 **A.** Consideration and approval of Contract between El Prado Water and Sanitation  
12 District and the Town of Taos to lease the use of the San Juan Chama Project  
13 Water.

14  
15 Councilmember Cordova asked if Jay Lazarus recommended a five year lease  
16 with an automatic five year renewal for a total of 10 years.

17  
18 Town Attorney Barela-Gutierrez stated that she believes the ten year mark is what  
19 the Council is considering but she doesn't recall specifically the five year. We can  
20 do that if that is more doable to you. We can make that change before you  
21 approve it.

22  
23 Councilmember Cordova stated that we should protect the town. He supports this  
24 with that amendment.

25  
26 Mayor Pro Tem Abeyta asked if there is there a clause in the contract that protects  
27 the rights of the Town of Taos that allows us a thirty day notice for the  
28 convenience of the Town of Taos to terminate the contract.

29  
30 Town Attorney Barela-Gutierrez stated that there is a provision that allows the  
31 town to get out of a contract with notice.

32  
33 Mayor Pro Tem Abeyta asked if it's a thirty day notice.

34  
35 Town Attorney Barela-Gutierrez stated that she believes it is thirty days.

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

41  
42 **B.** Approval of Resolution 08-26; a Resolution of the Town of Taos declaring  
43 support for the Taos Regional Water Plan.

44  
45 **Councilmember Cordova made a motion to approve the item as presented.**  
46 **Councilmember Quintana seconded the motion. The motion was approved**

1 **by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta**  
2 **and Councilmembers Cordova, Sanchez, and Quintana.**

3  
4 C. Approval of Resolution 08-33 – amending Resolution 08-01 Open Meetings Act –  
5 stating that Workshop Meetings shall not take place on a regular basis

6  
7 **Councilmember Quintana made a motion to approve the item as presented.**  
8 **Councilmember Cordova seconded the motion. The motion was approved by**  
9 **an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**  
10 **Councilmembers Cordova, Sanchez, and Quintana.**

11  
12 **13. MATTERS FROM THE TOWN MANAGER**

13 A. Approval of Resolution 08-32 supporting the New Mexico Department of  
14 Transportation plan, Option 1, to upgrade Kit Carson Road; which was presented  
15 at the public involvement meeting Thursday, April 24, 2008.

16  
17 **Mayor Pro Tem asked the audience if they would like to comment on this**  
18 **issue.**

19  
20 Bob Frutenheim stated that he feels that it will be an error to eliminate the  
21 parking.

22  
23 Benton Bond stated that he sent a letter to the Council with his concerns. He  
24 asked the Council to consider working on the side walks and leave street alone.

25  
26 Steve Fulendorf asked the Council if they would perhaps table until further  
27 discussion between merchants and Town Council have taken place.

28  
29 Fredrick Peralta shared the history with the Council regarding the issue.

30  
31 Tom McCarthy agrees with the other speakers. Leave it the way it is; fix  
32 sidewalks and pave the road.

33  
34 Rena Rosequest stated that he hopes that the Council could work out something  
35 with the New Mexico Department of Transportation (NMDOT) to have them do  
36 whatever is necessary to bring the sidewalks up to ADA standards.

37  
38 Kimberly Weber agrees with everything that has been said; we support option two  
39 which basically brings sidewalks up to ADA standards without taking away  
40 parking.

41  
42 **Mayor Pro Tem asked for questions/comments from the Council.**

43  
44 Councilmember Cordova asked Francisco “French” Espinoza where Option 1  
45 came from.

46

1 Francisco Espinoza stated that as far as he knows, those options came from the  
2 NMDOT meetings that took place in October of 20 07 and April 2008.

3

4 Councilmember Cordova asked why is Option 1 being the ultimate  
5 recommendation?

6

7 Francisco Espinoza stated that Option 1 is the preferred option only because it  
8 would be a total reconstruction of the roadway.

9

10 Councilmember Cordova asked if that is that recommendation from staff or  
11 NMDOT.

12

13 Francisco Espinoza stated that is the recommendation of NMDOT.

14

15 Councilmember Cordova asked if that is formal.

16

17 Francisco Espinoza stated that is their formal recommendation.

18

19 Councilmember Cordova asked if, based on their meeting, do we meet ADA  
20 compliance?

21

22 Francisco Espinoza stated that by doing Option 1 we would fully meet  
23 compliance.

24

25 Councilmember Cordova asked if we need to make a decision tonight? Can we  
26 solicit more input and maybe get a compromise that works for the businesses  
27 without jeopardizing funding?

28

29 Francisco Espinoza stated that we are simply trying to get the roadway up to ADA  
30 standards.

31

32 Councilmember Sanchez stated that Kit Carson Road is a historical street. We  
33 need to honor the wishes of the business owners.

34

35 Councilmember Quintana stated that she was told that Option 1 does make both  
36 sidewalks (North and South) ADA compliant and if we do not go with Option 1  
37 the town will have to come up with the funding to make the sidewalks ADA  
38 compliant.

39

40 Mayor Pro Tem Abeyta asked French if he has had verbal dialogue with the  
41 NMDOT and are they still recommending Option 1.

42

43 Francisco Espinoza stated that he has spoken with the principle engineer and  
44 discussion regarding the options has not taken place.

45

1 Mayor Pro Tem Abeyta asked if this council decides to table this item for further  
2 evaluation will that compromise the receiving of monies.

3

4 Francisco Espinoza stated that he does not know. He can commit to the Council  
5 that he will take the Council's comments and concerns back to the NMDOT.

6

7 Mayor Pro Tem Abeyta recommended that the Council table this item for further  
8 discussion.

9

10 **Councilmember Cordova made a motion to table for further discussion.**  
11 **Councilmember Sanchez seconded the motion. The motion was approved by**  
12 **an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**  
13 **Councilmembers Cordova, Sanchez, and Quintana.**

14

15 **B. Consideration and approval of Resolution 08-30 – superseding 08-15 - Fiscal**  
16 **Agency Policy to guide organizations in the application for funding where the**  
17 **Town of Taos would act as fiscal agent.**

18

19 **p.1; resolution 3<sup>rd</sup> paragraph: ADD**  
20 under NOW, THERFORE BE IT RESOLVED BY, THE TOWN OF TAOS  
21 COUNCIL that: the following policy be adopted as a policy of the town council  
22 of the Town of Taos:

23

24 **p. 1; Statement of Purpose; 1st sentence: ADD**  
25 The Town of Taos may act as fiscal agent for Taos area qualified organizations  
26 seeking to receive State of New Mexico and other funds only after said  
27 organizations have come before the Town of Taos Council at an official meeting,  
28 and approved or denied for fiscal agency status by the Council. A form is  
29 available for applying for this status at the Grants Administrators office in the  
30 Town of Taos Town Hall, and on the Town's web site, <http://www.taosgov.com>  
31 (see forms).

32

33 **p. 2; Annual Application; last sentence: ADD**  
34 In this way the Town of Taos may declare its written intention to be the  
35 organization's fiscal agent for use by the organization in its potential funding  
36 pursuits with the State of New Mexico or others.

37

38  
39 **p. 2; Application time period; 1st sentence: REPLACE**  
40 Ideally, organizations should apply through the Town of Taos Executive  
41 Department, Office of the Town Manager, for fiscal agent status during the month  
42 of June.

43

44 **p. 2-3; Approval; 1<sup>st</sup> sentence: DELETE**

1 No letter or fiscal agent status shall be issued by any individual elected or staff  
2 member of the Town of Taos until the organization has been approved for such  
3 status by the Town of Taos Council at a legally noticed public meeting.  
4

5 **p. 3 Administrative Fee; 2<sup>nd</sup> sentence: ADD**

6 **1. Administrative Fee.** Organizations applying for fiscal agent status, receiving it  
7 from the Town of Taos, and ultimately securing funds to activate said status from  
8 the State of New Mexico, may be charged a reasonable administrative fee if  
9 allowed by the grant and by state law by the Town of Taos Finance Department  
10 for administering and managing said activity. This fee will be based on the actual  
11 hours incurred by any town employee's activities associated with implementing  
12 the funding. Such fees will be charged at the rate of \$25.00 per hour, plus actual  
13 expenses; not to exceed 10% of the total funding. Actual expenses are deemed to  
14 be copying (.10 cents per page), mileage, or any other operational costs incurred  
15 in the course of functioning as the fiscal agent for the organizations.  
16

17 **Councilmember Cordova made a motion to approve the item as amended.**  
18 **Councilmember Quintana seconded the motion. The motion was approved**  
19 **by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta**  
20 **and Councilmembers Cordova, Sanchez and Quintana.**  
21

- 22 C. Approval of request to extend Parking Meter Program to the Historic District as  
23 part of the original trial basis through the end of December, 2008 and to remove  
24 hoods and place decals on the meters.  
25

26 **Councilmember Cordova made a motion to approve the item as presented.**  
27 **Councilmember Sanchez seconded the motion. The motion was approved by**  
28 **an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**  
29 **Councilmembers Cordova, Sanchez and Quintana.**  
30

- 31 D. Approval of request to expand the Taos Plaza gazebo at no cost to the Town of  
32 Taos.  
33

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

39 **14. MATTERS FROM THE MAYOR AND COUNCIL**

40 Approval of Memorandum of Understanding between the Village of Questa, the  
41 Village of Red River, the Town of Taos and the County of Taos to apply for grant  
42 funding from the New Mexico Department of Transportation Traffic Safety Bureau  
43 for Community DWI funding in the amount of \$7,293.60. (No matching funds  
44 required)  
45

1 Councilmember Cordova made a motion to approve the item as presented.  
2 Councilmember Quintana seconded the motion. The motion was approved by  
3 an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and  
4 Councilmembers Cordova, Sanchez and Quintana.  
5

6 **15. EXECUTIVE SESSION:**

7 Councilmember Cordova made a motion to go into Executive Session discuss the  
8 following: 1) Limited personnel matters regarding the Human Resources  
9 Director; 2) pending litigation regarding Romero v. Town of Taos; 3) pending  
10 litigation regarding Sayre v. Town of Taos; 4) pending litigation regarding the  
11 Airport Environmental Impact Statement; and 5) possible condemnation of  
12 property. Pursuant to NMSA 1978 10-15-1-H.2., 7 and 8. Councilmember  
13 Quintana second the motion. The motion was confirmed by an affirmative vote.  
14

15 At 11:45 p.m., Councilmember Cordova made a motion to come out of Executive  
16 Session and stated that discussion in the Executive Session was limited to the  
17 item as it was called for. Councilmember Quintana seconded the motion. The  
18 motion was confirmed by an affirmative vote. Those voting AYE were: Mayor  
19 Pro Tem Abeyta and Councilmembers Cordova, Sanchez and Quintana.  
20

21 **16. ADJOURNMENT:** A motion was made by Councilmember Cordova and  
22 seconded by Councilmember Quintana to adjourn the meeting. The motion  
23 carried unanimously and the meeting adjourned at 11:50 p.m.  
24  
25  
26

27 **APPROVED:**  
28  
29  
30

31 \_\_\_\_\_  
32 Bobby F. Duran, Mayor  
33

34 **ATTEST:**  
35  
36  
37

38 \_\_\_\_\_  
Renee Lucero, Town Clerk