

**MINUTES
REGULAR COUNCIL MEETING**

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

**August 11, 2009
1:30 p.m.**

- 1. CALL TO ORDER: The Regular Meeting of the Taos Town Council was called to order by the Honorable Mayor Darren M. Cordova at 1:39 p.m.**
- 2. ROLL CALL: Ms. Renee Lucero, Town Clerk, called roll and a quorum was present.**

Those present were:

Mayor	Darren M. Cordova
Mayor Pro Tem	Rudy C. Abeyta
Councilmember	A. Eugene Sanchez
Councilmember	Amy J. Quintana
Councilmember	Michael A. Silva

Also present were:

Town Manager	Daniel Miera
Asst. Town Manager	Abigail Adame
Town Clerk	Renee Lucero
Town Attorney	Allen Ferguson

- 3. PLEDGE OF ALLEGIANCE: Councilmember Silva led the audience in the pledge of allegiance.**

- 4. APPROVAL OF AGENDA:**

DELETE ITEM 6.C. Recognition of Town of Taos Employees Representatives of the Employees Awards & Recognition Team will recognize and present certificates of appreciation to 5 employees for going above and beyond the call of duty and performing various random acts of kindness - Eric Fresquez & Francisco (Pancho) Gonzales of Public Utilities Department; Ed Ramsey of Community & Economic Development Department; and William Espinoza & Pablo Archuleta of Public Utilities Department.

DELETE ITEM 10.A.4. Consideration and approval to award contract #TT-10-56 to L.C.I.2, Inc for the construction of the Composting Facility to be located at the Taos Regional Wastewater Treatment Facility. L.C.I. 2, Inc. was the lowest bidder. The total amount of the contract is \$168,902 plus NMGRT. Total project amount including NMGRT is \$182,519.72.

REMOVE ITEMS 8.B.1., 8.B.2, and 8.C. from the consent agenda for discussion.

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

5. APPROVAL OF MINUTES:

A. Regular Meeting

July 14, 2009

Mayor Pro Tem Abeyta made a motion to approve the Minutes of July 14, 2009, Regular Meeting as presented. Councilmember Silva seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

B. Special Meetings

July 21, 2009

Councilmember Silva made a motion to approve the Minutes of July 21, 2009, Regular Meeting as presented. Councilmember Quintana seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

6. AWARDS AND RECOGNITIONS:

A. NEW HIRES/PROMOTIONS, by Loretta Trujillo, Human Resources Director

PROMOTIONS/APPOINTMENTS

Padilla, Sharon
from Convention Services Administrative Coordinator
to Finance Assistant
Effective: 07/27/2009

PRESENTATION OF "APPOINT AND COMMISSION" PLAQUES TO NEW POLICE CADETS

Davis, Jani
Police Cadet
Full Time Employee
Police Department
Effective: 06/22/2009

Eagles, Camillah
Police Cadet
Full Time Employee
Police Department
Effective: 06/22/2009

Hurtado, Jaime
Police Cadet
Full Time Employee
Police Department
Effective: 06/22/2009

- B.** Presentation of certificates to individuals and groups who contributed to the successful 2009 Fiestas de Taos. The following were recognized:

Allyn Sanchez
Anna Martinez
Ed Ramsey
Eric Fresquez
Dinah Gonzales
Judy Esquibel
Veronica Gonzales
Lauren Felts
Tamara Romero
Tammie Romero
Jose Sanchez
Police Department
Buildings and Grounds (Buildings, Parks, Facilities Maintenance, Code Enforcement)
Public Works
Public Utilities
Fiesta Council

- C.** Recognition of Zeke Tapia, Cipriano Medina, Jim Pollard for serving on the Planning & Zoning Commission.

Mayor Cordova presented plaques to Zeke Tapia, Cipriano Medina and Jim Pollard (was not present) in appreciation for serving on the Planning & Zoning Commission.

- D.** Recognition of Angelica Sanchez, 2009 USA Junior Olympics National Boxing Champion.

Mayor Cordova presented a plaque to Angelica Sanchez congratulating her for her achievements.

1 **7. CITIZENS FORUM (Speakers limited to 5 minutes each)**

2
3 **A.** Pati L. Martinson and Terrie Bad Hand, Directors of Taos County Economic
4 Development Corporation, informed Mayor and Council about a fundraising
5 event on Friday, August 14, 2009, at Rich Nichols Gallery. A viewing of two
6 films will follow the event at the Taos Community Auditorium.
7

8 **B.** R.G. Wells spoke regarding police corruption and police harassment. He feels he
9 is personally being harassed by the Taos Police Department. Mayor Cordova
10 directed Mr. Wells to meet with the Daniel Miera, Town Manager, to discuss his
11 issues with the Taos Police Department.
12

13 **8. CONSENT AGENDA**

14 **The Mayor presented the following consent agenda to the Council. He read each**
15 **item on the agenda and advised the Council they could request any item be**
16 **removed from the consent agenda if they desired to discuss such item:**

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

- 18 1. Approval to enter into a one year contract with the Humane Society of Taos,
19 Inc. dba Stray Hearts Animal Shelter in the amount of \$90,000. Contract No.
20 TT-10-53. Line Item # 11-14-44005 - Other Contractual.
21 2. Amendment of an "Agreement for Confinement of Prisoners" with Taos
22 County Detention Center. Contract # TT-10-60. The Town of Taos has an
23 agreement with Taos County Detention Center to house Town of Taos
24 prisoners. The agreement is for a term of one year from July 10, 2009 to July
25 10, 2010. The Town of Taos, under the agreement, shall pay Taos County the
26 total amount of \$100 per prisoner per day. Line item # 25-14-44005.

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

- 28 1. Authorization to accept grant agreement No. SKX-10-002 from the State of
29 New Mexico Department of Transportation (DOT), Aviation Division in the
30 amount of \$68,341 for a crack seal project for Runway 4/22 at the Taos
31 Regional Airport. The proposed funding break down is as follows: State 80%
32 (\$68,341); Town Match 20% (\$17,085); total project amount \$85,426. Town
33 Match was allocated in the 2009/2010 Town budget.
34 2. Authorization to accept grant agreement No. SKX-10-001 from the State of
35 New Mexico Department of Transportation (DOT), Aviation Division in the
36 amount of \$3,750 for taxiway and ramp pavement maintenance and taxiway
37 reflectors at the Taos Regional Airport. The proposed funding breakdown is
38 as follows: FAA 95% (\$150,000); State 2.5% (\$3,750); Town Match 2.5%
39 (\$3,750); total project amount \$157,500. Town Match was allocated in the
40 2009/2010 Town budget.

41 **C. Brian Greer, Youth & Family Center Director**

42 Consideration and approval to lease WorkCentre 7428P Xerox Copier and Printer
43 with Fax Capability for the Youth and Family Center on a 48 month lease at
44 \$451.60 per month plus any copies and taxes. Pricing is in accordance with the
45 State of New Mexico Master Lease Agreement and SPD#90-00063.
46

D. Marietta Fambro, Finance Director

Approval of Resolution 09-45 Budget Adjustment Request: Community Grants Fund (30) - Increase revenues and expenditures for the Taos County Juvenile Justice Grant (30-new) in the amount of \$83,360 in order to cover the total grant award of \$111,360.00 from Children, Youth & Families Department, original amount in the budget was \$28,000. The Town is the fiscal agent for this grant and no match from the Town is needed.

Mayor Pro Tem Abeyta made a motion to approve the consent agenda as amended. Councilmember Quintana seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

8.B. Francella Garcia, Grants Administrator

- 1. Authorization to accept grant agreement No. SKX-10-002 from the State of New Mexico Department of Transportation (DOT), Aviation Division in the amount of \$68,341 for a crack seal project for Runway 4/22 at the Taos Regional Airport. The proposed funding break down is as follows: State 80% (\$68,341); Town Match 20% (\$17,085); total project amount \$85,426. Town Match was allocated in the 2009/2010 Town budget.

Councilmember Sanchez asked if this project is considered a capital project and if project amounts are considered part of the estimated revenues for Fiscal Year 2009-2010.

Francella Garcia, Grants Administrator, explained this is a capital project and revenues come in as a reimbursement. She believes the project amounts are part of the estimated revenues.

Mayor Pro Tem Abeyta made a motion to approve accept grant agreement No. SKX-10-002 from the State of New Mexico Department of Transportation (DOT), Aviation Division as presented. Councilmember Silva seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

- 2. Authorization to accept grant agreement No. SKX-10-001 from the State of New Mexico Department of Transportation (DOT), Aviation Division in the amount of \$3,750 for taxiway and ramp pavement maintenance and taxiway reflectors at the Taos Regional Airport. The proposed funding breakdown is as follows: FAA 95% (\$150,000); State 2.5% (\$3,750); Town Match 2.5% (\$3,750); total project amount \$157,500. Town Match was allocated in the 2009/2010 Town budget.

Councilmember Quintana made a motion to approve accept grant agreement No. SKX-10-001 from the State of New Mexico Department of

1 **Transportation (DOT), Aviation Division as presented. Councilmember**
2 **Sanchez seconded the motion. The motion was approved by an**
3 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**
4 **Councilmembers Sanchez, Quintana and Silva.**

5
6 **8.C. Brian Greer, Youth & Family Center Director**

7 Consideration and approval to lease WorkCentre 7428P Xerox Copier and Printer
8 with Fax Capability for the Youth and Family Center on a 48 month lease at
9 \$451.60 per month plus any copies and taxes. Pricing is in accordance with the
10 State of New Mexico Master Lease Agreement and SPD#90-00063.

11
12 Mayor Cordova stated Brian Greer, Youth & Family Center Director, provided
13 the lease agreement to Mayor and Council at today's meeting and he wants
14 Council to have a chance to review it before taking action.

15
16 **Councilmember Silva made a motion to approve the lease of WorkCentre**
17 **7428P Xerox Copier and Printer with Fax Capability for the Youth and**
18 **Family Center as presented. Mayor Pro Tem Abeyta seconded the motion.**
19 **The motion was approved by an affirmative vote. Those voting AYE were:**
20 **Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**

21
22 Mayor Cordova referred back to agenda Item 7.B. regarding R.G. Wells and stated the
23 Mayor and Council is committed to accountability of all Town of Taos employees;
24 however, he does support his employees and will not allow an individual to falsely
25 accuse staff in a public meeting.

26
27 Mayor Pro Tem Abeyta stated Mr. Wells has confronted the Council at several Council
28 Meetings in the past. He stated Mr. Wells' allegations have been taken very seriously
29 and Town staff has investigated them.

30
31 **9. PUBLIC HEARINGS**

32 **A. Matthew Spriggs, Community & Economic Development Director**

- 33 1. Consideration and approval of Ordinance 09-18 amending §16.08.020.3,
34 §16.16.190.4 C., and §16.20.090 through §16.20.090.6 of the Taos Town
35 Code regarding the definitions, development standards and other provisions of
36 the sections related to Public Park Dedication, Useable Open Space
37 Reservation, and In Lieu Fees. This ordinance will provide clarification to the
38 requirements for Public Park Dedication, Useable Open Space Reservation,
39 and In Lieu Fees.

40
41 Matthew Spriggs, Community & Economic Development Director, presented
42 the item to the Mayor and Council and explained the changes to the code. He
43 stated the amendment provides clarity for the development community and
44 staff and sets a reasonable value for in lieu fees and also sets a minimum size
45 threshold for projects that are subject to this performance standard. Mr.

1 Spriggs also stated the Town Attorney has reviewed and approved the
2 amendments.

3
4 *Public Opinion*

5 Mayor Cordova opened the public hearing. No one came forward.
6

7 After closing the public hearing, Mayor Cordova asked for questions from the
8 Council.
9

10 **Councilmember Sanchez made a motion to approve Ordinance 09-18 as**
11 **presented. Mayor Pro Tem Abeyta seconded the motion. The motion**
12 **was approved by an affirmative vote. Those voting AYE were: Mayor**
13 **Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**
14

- 15 2. Consideration and approval of Ordinance 09-19 amending Sections 15.32.030
16 of the Taos Town Code. This ordinance amends the Taos Town Code with
17 respect to removing references to the former Extra Territorial Zone, Extra
18 Territorial Zoning Commission, and Municipal County Zoning Authority of
19 the Town of Taos. The Extra Territorial Zone, et al, were rescinded in 2006.
20 This ordinance removes those references reflecting the prior action of the
21 Town Council.
22

23 Mr. Spriggs presented the item to the Mayor and Council and explained
24 revisions were made to the code by removing references to the former Extra
25 Territorial Zone, the Extra Territorial Zoning Commission and the Municipal
26 County Zoning Authority of the Town of Taos because the Extra Territorial
27 Zone no longer exists.
28

29 *Public Opinion*

30 Mayor Cordova opened the public hearing. No one came forward.
31

32 After closing the public hearing, Mayor Cordova asked for questions from the
33 Council.
34

35 Councilmember Sanchez asked who has authority over the three mile zone
36 surrounding the municipal limits.
37

38 Mr. Spriggs stated Councilmember Sanchez refers to the planning and platting
39 jurisdiction and the town intends to work jointly with the County to determine
40 several issues regarding the growth of Taos.
41

42 Mayor Cordova stated the Council's directive has always been to work
43 collaboratively with the County on this issue.
44

45 **Councilmember Sanchez made a motion to approve Ordinance 09-19 as**
46 **presented. Councilmember Quintana seconded the motion. The motion**

was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

- 3.
- Consideration and approval of Ordinance 09-20 amending Section 16.16.22.012 of the Taos Town Code. This ordinance amends the Town of Taos Land Use Development Code with respect to the Historic Overlay Zone Review Process. This amendment removes the monetary cap on administrative approvals of routine maintenance projects.

Rudy Perea, Senior Planner, presented the item to the Mayor and Council and explained the ordinance removes a set monetary limit on the amount of construction that could be done before a review by the Town of Taos Planning and Zoning Commission would be required.

Public Opinion

Mayor Cordova opened the public hearing. No one came forward.

After closing the public hearing, Mayor Cordova asked for questions from the Council.

Councilmember Silva stated this is a good plan and he believes it is more user friendly.

Councilmember Silva made a motion to approve Ordinance 09-20 as presented. Mayor Pro Tem Abeyta seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

- 4.
- Consideration and approval of Ordinance 09-21 amending Section 16.20.040.4 Subsection (5)(E) of the Taos Town Code. This ordinance amends the Taos Town Code with respect to the location of parking lots for multi-family, commercial and special uses. This ordinance will allow a limited amount of the required parking to be placed at the front of the building.

Rudy Perea, Senior Planner, presented the item to the Mayor and Council and stated the ordinance will revise the parking requirements and allow limited parking frontage for commercial, multi-family, conditional and special use buildings in return for requiring the property owner to provide enhanced pedestrian amenities within their parking lots in the form of walkways and 10% more landscaping above and beyond what the current landscaping ordinance requires.

Public Opinion

Mayor Cordova opened the public hearing. No one came forward.

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

3
4 Councilmember Silva stated he would like to see more parking allowed in
5 store fronts as it is important for business owners to succeed. He believes the
6 parking spaces on the side of businesses are used minimally.

7
8 Councilmember Sanchez stated there is a misconception that if a business
9 does not have parking in the front of their building they will lose business. He
10 believes the more attractive the front of the business is the more business they
11 will get.

12
13 Mayor Pro Tem Abeyta stated many small business owners have voiced their
14 concerns that side-parking is bad for their business. He believes the Council
15 has an obligation to support small businesses and should allow them to keep
16 frontage parking. He also stated this ordinance will help support small
17 businesses.

18
19 **Councilmember Quintana made a motion to approve Ordinance 09-21 as**
20 **presented. Councilmember Silva seconded the motion. The motion was**
21 **approved by an affirmative vote. Those voting AYE were: Mayor Pro**
22 **Tem Abeyta, and Councilmembers Quintana and Silva. Voting NAY was**
23 **Councilmember Sanchez.**

24 25 **10. MATTERS FROM STAFF**

26 **A. Amos Torres, Public Utilities Director**

- 27 1. Consideration and approval to allow Rebecca Miera to connect to Town sewer
28 main line. The property is located at 519 Upper Ranchitos Road and the sewer
29 line is on the roadway adjacent to the property. Owner will be responsible for
30 all costs associated with the connection and all applicable fees. Connection
31 will be one 4" gravity flow line.

32
33 **Councilmember Silva made a motion to allow Rebecca Miera to connect**
34 **to Town sewer main line. Mayor Pro Tem Abeyta seconded the motion.**
35 **The motion was approved by an affirmative vote. Those voting AYE**
36 **were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana**
37 **and Silva.**

- 38
39 2. Consideration and approval to allow Jerome & Feliz Salazar to connect to
40 Town water and sewer main lines. The property is located at 429 La Posta.
41 Water and Sewer lines are located on La Posta Rd. adjacent to the property.
42 Owner will be responsible for all costs associated with the connection and all
43 applicable fees. Connections will be one 4" gravity flow sewer line and a 3/4"
44 water connection.

45

1 Mayor Pro Tem Abeyta stated this piece of property is a strip of County land
2 surrounded by the municipal boundaries. He asked Daniel Miera, Town
3 Manager, to work on cleaning up the boundaries.
4

5 **Councilmember Quintana made a motion to allow Jerome & Feliz**
6 **Salazar to connect to Town water and sewer main lines. Councilmember**
7 **Mayor Pro Tem Abeyta seconded the motion. The motion was approved**
8 **by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta,**
9 **and Councilmembers Sanchez, Quintana and Silva.**

- 10
11 3. Consideration and approval to allow Frank Giron to connect to Town Water.
12 The property is located at 445 Trujillo Lane. Water line located on the
13 roadway adjacent to the property. Owner will be responsible for all costs
14 associated with the connection and all applicable fees.
15

16 **Councilmember Silva made a motion to allow Frank Giron to connect to**
17 **Town Water. Mayor Pro Tem Abeyta seconded the motion. The motion**
18 **was approved by an affirmative vote. Those voting AYE were: Mayor**
19 **Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**

- 20
21 4. Consideration and approval of Amendment #3 to Contract TT-09-133 with
22 Souder Miller & Associates for the engineering and design of the
23 improvements to the Taos Regional Wastewater Treatment Plant. The
24 contract amendment is in the amount of \$758,420 exclusive of GRT.
25

26 **Councilmember Quintana made a motion to approve Amendment #3 to**
27 **Contract TT-09-133 with Souder Miller & Associates. Councilmember**
28 **Silva seconded the motion. The motion was approved by an affirmative**
29 **vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**
30 **Councilmembers Sanchez, Quintana and Silva.**

31
32 **B. Matthew Spriggs, Community & Economic Development Director (Each item**
33 **limited to 5 minutes)**

- 34 1. Mr. Carl Colonius, Executive Director for Taos Youth Collaborative, will
35 provide a report to the Town Council regarding their accomplishments from
36 January, 2009 through June, 2009. Taos Youth Collaborative received \$8,056
37 for developing an electronic 3-D model of the new campus facility to be
38 constructed on the extension of Salazar Road and Roy Road.
39

40 Mary Passaglia attended the meeting on behalf of Mr. Carl Colonius and
41 presented an electronic 3-D model of the new campus facility. She thanked
42 the Mayor and Council for assisting Taos Youth Collaborative and stated the
43 building is estimated to cost \$6 million.
44

- 45 2. Mr. Mark Amoriello, Area Provider for The NM Community Development
46 Loan Fund, will provide a presentation to the Town Council regarding a new

1 one-on-one consulting service being offered by The Loan Fund for northern
2 New Mexico businesses in the service, retail, manufacturing and agricultural
3 segments. The funding for the project is provided by the US Department of
4 Agriculture, Rural Development and runs through September 30, 2009.

5
6 Mr. Amoriello gave a PowerPoint presentation and thanked the Mayor and
7 Council for providing assistance to their program. He stated the services the
8 program offers are free.

- 9
10 3. Ms. Cecilia Cepella-Kaelin, Executive Director of AIS Development (AIS)
11 will provide a report to the Town Council regarding their accomplishments
12 from January, 2009 through June, 2009. AIS received \$10,000 for developing
13 a unique economic development attraction system for the Town of Taos under
14 the Economic Development Requests for Proposals.

15
16 Ms. Cepella-Kaelin gave a PowerPoint presentation and stated the system
17 developed by AIS Development has been used statewide, including at the
18 Governor's Office.

- 19
20 4. Mr. Jim O'Donell, Ms. Erin Sanborn, and Ms. Sharon Leach of Collaborative
21 Green will provide a report to the Town Council regarding their
22 accomplishments from January, 2009 through June 2009. Collaborative Green
23 received \$23,900 for developing a local food system for the Town of Taos
24 under the Community Development Requests for Proposals.

25
26 Ms. Erin Sanborn gave a presentation and thanked the Mayor and Council for
27 assisting Collaborative Green with their program.

28
29 **C. Francisco Espinoza, Public Works Director**

- 30 1. Consideration and Approval of ADA Complimentary Paratransit (HandiVan)
31 Service Policies and Procedures. FTA requires that a complimentary
32 paratransit (HandiVan) service is provided during the normal transit
33 operations which will be in compliance with ADA regulations. Policy is
34 required to be filed with New Mexico Department of Transportation by
35 September 1, 2009.

36
37 Mr. Espinoza stated the Transportation Division is not in compliance with the
38 Paratransit Service Policies and Procedures as regulated by the Federal Transit
39 Administration for ADA accessibility.

40
41 **Councilmember Quintana made a motion to approve ADA**
42 **Complimentary Paratransit (HandiVan) Service Policies and Procedures.**
43 **Mayor Pro Tem Abeyta seconded the motion. The motion was approved**
44 **by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta,**
45 **and Councilmembers Sanchez, Quintana and Silva.**

- 2. Consideration and Approval of Town of Taos Resolution 09-42 establishing a roadway program cooperative agreement with the NM Department of Transportation (Roadway improvements to be performed on Este Es Road East of Maestas). Amount awarded to Town of Taos: Project No. SP-5-08 (062); Town Share (25%) \$14,288.33; State Share (75%) \$42,865. Project Total - \$57,153.33.

Councilmember Silva asked which utilities are located under the roadway and if Mr. Espinoza has plans to tear up the roadway. Mr. Espinoza explained all utilities are under the roadway except sewer and stated there are excavations that will not exceed 6 feet except at the interception of Maestas Road and Este Es Road.

Councilmember Sanchez asked if this project is considered a Capital Improvements Project and if the project amount is included in the estimated revenues of the Town’s budget. Mr. Miera stated this project is a Capital Improvements Project and is included as anticipated revenue.

Mayor Pro Tem Abeyta made a motion to approve Resolution 09-42 as presented. Councilmember Silva seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

11. MATTERS FROM THE TOWN ATTORNEY

- A. Approval of Resolution 09-43; a Resolution to remove Lot 8 in the Chamisa Verde Affordable Housing Subdivision from the Town's Affordable Housing Program.

Mr. Ferguson stated this resolution will remove the model home from the Chamisa Verde subdivision to allow the use of the home as a rental to a police officer. He spoke to a representative at the New Mexico Mortgage Finance Authority and was told this was legal as long as it is done by resolution.

Councilmember Quintana made a motion to approve Resolution 09-43 as presented. Councilmember Silva seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

- B. Approval of Resolution 09-44; a Resolution to waive certain requirements of Town of Taos Ordinance 05-04 (Chamisa Verde Affordable Housing) for Habitat for Humanity closing.

Mayor Pro Tem Abeyta made a motion to approve Resolution 09-44 as presented. Councilmember Quintana seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

1
2 Mayor Cordova suspended the rules to hear Item 13 before Item 12.
3

4 **13. MATTERS FROM THE MAYOR AND COUNCIL**

5 **A. Discussion regarding Lodgers Tax Advisory Board appointments/reappointments.**
6

7 Mayor Cordova stated the attendance at the quarterly meetings by the Lodgers
8 Tax Advisory Board members is low and it is often a challenge to get a quorum.
9 He asked the Council to consider whether the Town should reappoint new
10 members or evaluate if a Board is necessary since Griffin & Associates is
11 handling the marketing program.
12

13 After discussion, the majority of the Councilmembers agreed that if there is no
14 benefit to having the Board, then the Town does not need it. They also agreed
15 that Griffin & Associates is doing an excellent job managing the marketing
16 program.
17

18 Mayor Cordova asked Mr. Miera to evaluate the situation and bring a
19 recommendation back to the Council. Mr. Miera stated he will work on a solution
20 and bring it back to the Council.
21

22 **B. Consideration of appointment of members to the Planning Commission for a 2**
23 **year term: (Ref. Town Code 16.12.020.1 C). Vacancy has occurred due to the**
24 **resignation of Zeke Tapia, Cipriano Medina, and Jim Pollard. To date the Mayor**
25 **has 3 letters of interest – Pavel Lukes, Ted Dimond, and Anthony Perez.**
26

27 Mayor Cordova made a correction to the agenda item and said he has received 4
28 letters of interest rather than 3.
29

30 **Councilmember Sanchez made a motion to appoint Pavel Lukes, Ted**
31 **Dimond, and Anthony Perez to the Planning Commission for a 2 year term**
32 **Councilmember Silva seconded the motion. The motion was approved by an**
33 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**
34 **Councilmembers Sanchez, Quintana and Silva.**
35

36 **B. Councilmember Sanchez asked for an update on the fence behind Smith that is**
37 **not in compliance according to the Council's conditions which were placed when**
38 **the Smith's gas station was approved. Mr. Spriggs stated the fence is going to be**
39 **constructed and will be a block fence.**
40

41 Councilmember Sanchez asked for an update on the soccer fields. Mr. Miera
42 stated the documents have been signed by all parties and will be forwarded to
43 New Mexico Finance Authority.
44

1 Councilmember Sanchez asked if the codification of Town ordinances is being
2 updated. Mr. Miera stated the codification is being updated continuously by the
3 Legal Department.

4
5 Councilmember Sanchez asked for an update on the hydrologist. Mr. Miera
6 stated he is bringing an item for approval at the Special Meeting this month.

7
8 Councilmember Sanchez asked for an update on the cameras at Taos Plaza. Mr.
9 Miera stated \$40,000 was budgeted in the 2009-2010 budget.

10
11 Councilmember Sanchez asked if Mr. Miera talked to Kit Carson Electric about a
12 grant for the soccer fields. Mr. Miera stated he has been working with Kit Carson
13 Electric on applying for USDA funds.

14
15 Councilmember Sanchez stated during the Fiestas parade a man came from
16 Albuquerque and had a custom-made car, but was turned away due to a problem
17 with the permit. Mr. Miera stated the issue was referred to the Fiesta Council
18 because it was their matter.

19
20 Mayor Cordova asked the Chief to take a "No Tolerance" stance at the Public
21 Schools now that school has started. Chief Syling stated he absolutely will.

22 23 **12. MATTERS FROM THE TOWN MANAGER**

24 Report from the Town Manager. There were no items to report on.

25
26 4:58 p.m. Councilmember Sanchez left the meeting due to a prior engagement.

27
28 **14. EXECUTIVE SESSION: Mayor Pro Tem Abeyta made a motion to go into**
29 **Executive Session discuss the following: 1) acquisition of Hughes Water Rights**
30 **pursuant to NMSA 1978 10-15-1-H(8); and 2) threatened or pending litigation in**
31 **which the public body is or may become a participant, to consider prospective**
32 **litigation between the Town of Taos and the Plaza Theater and Arts Center,**
33 **LLC and/or associated individuals and entities pursuant to NMSA Section 10-**
34 **15-1.H(7).**

35
36 **Councilmember Silva seconded the motion. The motion was confirmed by an**
37 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**
38 **Councilmembers Quintana and Silva.**

39
40 **At 5:30 p.m., Councilmember Quintana made a motion to come out of Executive**
41 **Session and stated discussion in the Executive Session was limited to the item as**
42 **it was called for. Councilmember Silva seconded the motion. The motion was**
43 **confirmed by an affirmative vote. Those voting AYE were: Mayor Pro Tem**
44 **Abeyta and Councilmembers Quintana and Silva.**

45

1 **15. ADJOURNMENT:** A motion was made by Councilmember Quintana and
2 seconded by Councilmember Silva to adjourn the meeting. The motion carried
3 unanimously and the meeting adjourned at 5:30 p.m.
4

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6 **APPROVED:**
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10 _____
11 **Darren M. Cordova, Mayor**
12

13 **ATTEST:**
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15
16 _____
17 **Renee Lucero, Town Clerk**
18
19

PLEASE NOTE: The Town of Taos records most Town Council Meetings via audio, however, only Regular Town Council Meetings and some Special Town Council Meetings, with controversial issues, are video recorded. Copies are available upon request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005) at a fee of \$5.00 for audio recordings and \$25.00 for video recordings.