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**Special Meeting  
Taos Town Council  
Town Council Chambers  
120 Civic Plaza Drive  
Taos, New Mexico  
March 24, 2009  
1:30 p.m.**

**MINUTES**

**1. CALL TO ORDER: The Special Meeting of the Taos Town Council was called to order by the Honorable Mayor Darren M. Cordova at 1:32 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:**

Assistant Town Manager	Abigail Adame
Town Clerk	Renee Lucero
Assistant Town Attorney	Jack Clough

**Absent were:**

Town Manager	Daniel Miera (Due to a meeting with Federal Aviation Administration)
Town Attorney	Allen Ferguson (Out of the office on personal leave)

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

**4. APPROVAL OF AGENDA:**

Matthew Foster, Long-Range Planner, requested items A.1. and A.2. be switched because the contract needs to be approved before the travel request.

**Mayor Pro Tem Abeyta** made a motion to approve the Agenda as amended. **Councilmember Sanchez** seconded the motion. The motion carried unanimously.

**5. CITIZENS FORUM:**

1       **No one came forward.**  
2

3       **6. MATTERS FROM STAFF:**

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

- 5           1. Approval of sole source Contract TT-09-275 with Duany Plater-Zyberk to  
6           create the Traditional Neighborhood Development District Infrastructure and  
7           Utilities Standards Manual. The contract amount is not to exceed \$43,000.  
8

9           **Councilmember Quintana made a motion to approve the scope of work  
10           proposed by staff for the proposed Contract TT-09-275 and enter into a  
11           sole source contract for the amount not to exceed \$43,000 inclusive of  
12           Gross Receipts Tax, and any expenses with Duany Plater-Zyberk to  
13           create the Traditional Neighborhood Development District Infrastructure  
14           and Utilities Standards Manual and authorize the Mayor to sign said  
15           contract with terms as may be negotiated by staff. Mayor Pro Tem  
16           Abeyta seconded the motion. The motion was approved by an affirmative  
17           vote. Those voting AYE were: Mayor Pro Tem Abeyta and  
18           Councilmembers Sanchez, Quintana and Silva.**  
19

- 20           2. Approval of Out of State Travel request for Matthew Foster, Long Range  
21           Planner, to attend a 3 day workshop with Duany Plater-Zyberk to prepare the  
22           Traditional Neighborhood Development District Infrastructure and Utilities  
23           Standards Manual. The request is for actual costs. The cost estimate for the  
24           travel is \$450 for airfare, \$40 for ground transportation, hotel is  
25           complimentary, and food during the workshop will be provided by the  
26           consultant. Other food expenses are estimated at \$50 during travel to and from  
27           Albuquerque and Miami, Florida.  
28

29           **Councilmember Sanchez made a motion to approve the Out of State  
30           Travel Request as presented. Councilmember Silva seconded the motion.  
31           The motion was approved by an affirmative vote. Those voting AYE  
32           were: Mayor Pro Tem Abeyta and Councilmembers Sanchez, Quintana  
33           and Silva.**  
34

35       **B. Manuel Pacheco, Buildings & Grounds Director**

36           Approval of Resolution 09-18 - Waiver of employee or immediate family member  
37           contracting with the Town of Taos. The Town is proposing to contract with  
38           Daniel Cordova who is related to Mayor Darren Cordova, an employee of the  
39           Town of Taos.  
40

41           Mayor Cordova stated the contract is for Mountain Moving & Storage to move  
42           Town Hall employees into the new facility. He stated if this item is approved he  
43           will abstain from signing any contracts relating to this contractor and will allow  
44           Mayor Pro Tem Abeyta to act on his behalf.  
45

1 Mayor Pro Tem Abeyta asked for the bid amount of the Albuquerque contractor,  
2 Moving Solutions, Incorporated. Mr. Pacheco stated the bid was for \$13,000 for  
3 three phases of moving. Mayor Pro Tem then asked the bid amount of the local  
4 bidder, Mountain Moving & Storage. Mr. Pacheco stated the bid was \$10,000.

5  
6 **Councilmember Quintana made a motion to approve Resolution 09-18 as**  
7 **presented. Mayor Pro Tem Abeyta seconded the motion. The motion was**  
8 **approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem**  
9 **Abeyta and Councilmembers Sanchez, Quintana and Silva.**

## 10 11 7. PUBLIC HEARINGS

### 12 **Matthew Spriggs, Community & Economic Development Director**

13 This is an appeal application to the Town of Taos Town Council on a decision made  
14 by the Town of Taos Planning and Zoning Commission to approve a Special Use  
15 Permit. The proposed Special Use Permit is to locate a Men's Homeless Shelter at 820  
16 Salazar Street. The 3.741+- acre parcel is zoned R-2 Single Family Residential  
17 within the town limits of the Town of Taos.

18  
19 Mayor Cordova read the procedures for the public hearing and stated this hearing has  
20 been properly noticed.

21  
22 Matthew Spriggs, Community & Economic Development Director, and Rudy Perea,  
23 Senior Planner, presented a history of the case to Mayor and Council. Mr. Perea gave  
24 a PowerPoint presentation describing the site plan of the property and the design of  
25 the building.

26  
27 Mr. Spriggs stated staff recognizes the need for a homeless shelter in the community;  
28 however, the question of where the shelter should be located has become an issue.  
29 Mr. Spriggs submitted the staff's Conditions of Approval for the record. (Attached to  
30 minutes)

31  
32 Douglas Scott, Taos Coalition to End Homelessness Executive Director, was sworn in  
33 stated the property is not 3.741 +-, but rather 1.2 +-.

34  
35 Mr. Spriggs, clarified the property was not legally split. He stated the issue is one  
36 piece of property and the Special Use Permit can be applied to the requested acreage  
37 upon legally splitting the property.

### 38 39 APPELLANTS' PRESENTATION

40 Frank T. Trujillo, attorney for appellant, thanked Mayor and Council for listening to  
41 this appeal as he feels their voices were not heard at the Planning & Zoning  
42 Commission proceedings. He stated the applicant does not meet the code in any way.

43  
44 Mr. Trujillo referred to Land Use Development Code 2-4.185 Subsection C, which  
45 reads "The special use does not create a danger to the public health, safety, or  
46 welfare; nor cause an extraordinary public expense, nor create a nuisance". He stated

1 the Mayor and Council's packets include information about a particular individual  
2 who lists the homeless shelter as his permanent home address and is also listed as a  
3 sex offender. He stated representatives at the shelter told the appellants these types of  
4 individuals were not allowed at the shelter and they do not monitor these individuals  
5 as they should. He feels a good portion of residents at the shelter do want change in  
6 their lives; however, others choose to be homeless and have been for several years.  
7 He stated when appellants asked shelter representatives how many residents have  
8 ID's they were told that the majority do not have IDs. Mr. Trujillo stated he does not  
9 understand how residents' backgrounds are checked if they do not have IDs. He  
10 stated shelter representatives also informed him residents check in weapons and drugs  
11 when they arrive; however, these items are returned to the residents when they leave.  
12

13 In regards to "extraordinary public expense" of Land Use Development Code 2-4.185  
14 Subsection C, Mr. Trujillo stated he has been in contact with neighbors near a Santa  
15 Fe, New Mexico shelter who have placed huge walls in their yards for their safety.  
16 Additionally, he stated lights, gates, and fences were installed for the safety of the  
17 area neighbors.  
18

19 Mr. Trujillo spoke about property values and stated real estate agents have advised  
20 the neighbors that their property values will go down as a result of the shelter.  
21

22 In regards to "cannot create a nuisance" of Land Use Development Code 2-4.185  
23 Subsection C, Mr. Trujillo stated security of the neighborhood will be diminished if  
24 the shelter is allowed. He stated homeless people do need help; however, the location  
25 should not be selected just because the price of the property is good. He stated  
26 everyone has a personal choice to assist the homeless, but the appellants do not feel  
27 the shelter belongs in their neighborhood. They choose to keep their families and  
28 neighborhood as safe as possible. He concluded by stating the applicant does not  
29 meet criteria as required in the Land Use Development Code; therefore, the  
30 application should not be approved.  
31

#### 32 APPLICANT PRESENTATION

33 Dr. Scott stated he would like to address the appellants' concerns and stated there is a  
34 perception that residents of the shelter pose a threat. He stated he has researched 18  
35 months of records and has found that the shelter has not experienced a single incident.  
36 He stated due to the economic decline, several people have lost their jobs and some  
37 will likely lose their homes. He asked where these people will go. He advised that in  
38 the year 2007 sixty-five individuals in New Mexico lost their lives because they were  
39 homeless. He also stated he knows homeless Taoseños have died, including one on  
40 the Plaza. He feels everyone has a responsibility to care for these individuals and the  
41 Town has a responsibility to lead by example and make their decisions based on facts.  
42 He urged the Council to uphold the decision of the Planning & Zoning Commission.  
43 Dr. Scott also introduced Tom Blankenhorn as the new Executive Director of the  
44 Taos Coalition to End Homelessness.  
45

1 Mr. Blankenhorn was sworn in and confirmed there is a shelter resident who is listed  
2 on the sex offenders list. He stated the existence of a homeless shelter does not  
3 increase the likelihood of crime, instead it decreases it. He stated many homeless  
4 men do not have IDs and shelters cannot turn them down. He explained there are  
5 many success stories where shelter residents have turned their lives around. In  
6 regards to property values declining, he feels different realtors have different  
7 opinions. For example, he stated trailers also lower property values; however, the  
8 community still needs them.

9  
10 Mr. Blankenhorn stated appellants concerns are understandable as there really is not a  
11 good place for homeless shelters; however, they are still needed. He stated the men's  
12 shelter is a valuable resource to the community and feels there is no additional public  
13 expense as jails and hospitals are more expensive. He further stated supporting the  
14 shelter is very charitable and sets good examples for children to follow.

15  
16 Mr. Blankenhorn stated Ben Trujillo has informed representatives of the Men's  
17 Shelter of another available property in the area which is in a commercial zone and  
18 may be more affordable. He stated they are having a hard time finding affordable  
19 property for this cause. They want to be good neighbors and have asked that an area  
20 resident sit on their board.

## 21 22 PUBLIC HEARING

23 Mayor Cordova opened the public hearing.

24  
25 Bob Kenan, who resides at 7208 La Posta Place, was sworn in and stated he opposes  
26 the shelter. He stated this proposed development has brought the neighborhood  
27 together. He applauds Doug Scott's efforts for assisting the homeless, but is  
28 concerned about the property values declining should the shelter be approved.

29  
30 Clint Murphy, who resides at 85 Old Santa Fe Road, was sworn in and stated he  
31 supports the shelter. He asked the opposing residents to reconsider their position. He  
32 stated the shelter intends to contract with a security guard to address safety concerns  
33 and believes the neighborhood will be more secure.

34  
35 Deborah Trujillo, who resides at 61 Derickson Ave. NE, Albuquerque, New Mexico,  
36 was sworn in and stated she opposes the shelter. She owns 3 lots and 2 homes in the  
37 neighborhood. She stated she is a licensed insurance agent and stated the residents  
38 risk insurance rates rising once the insurance companies find out there is a shelter in  
39 the neighborhood. She stated she knows of residents in Santa Fe, New Mexico  
40 experiencing the negative impact of a shelter which was placed in their neighborhood.

41  
42 Margaret Walters, who resides at 604 Romolo Lane, was sworn in and stated she  
43 supports the shelter. She stated almost everyone who delivers a meal to the shelter is  
44 female and the men are always nice and appreciative. She stated there is substance  
45 abuse and mental illness everywhere, not just within homeless shelters and explained  
46 these people need a place to sleep.

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Carmen Martinez, who resides at 411 Camino de la Merced, was sworn in and stated she does not oppose the shelter, just the proposed location which is 25 feet from her property. She stated she has lived in the area since she was 12 years old. She feels the safety and welfare of the neighbors will be compromised, and with the addition of the sports complex in the area, there will be more children in the neighborhood whose safety will be at risk. She asked Mayor and Council to deny the application.

Marcia Carter, who resides at 405 Santistevan Lane, was sworn in and stated she supports the shelter. She own property in the neighborhood and feels law enforcement will protect the neighborhood. She stated she is afraid to go to one Town of Taos facility where she had a bad experience; however, she does not fear the homeless shelter.

David Gutierrez, who attending on behalf of Bill Schmidt of Albertson's and resides on State Road 240, was sworn in and stated he opposes the shelter. He stated Albertson's will always support the Town of Taos; however they are concerned with the proposed location of the shelter. He stated Albertson's already deals with intoxicated individuals in their parking lot and feels approval of the shelter will add to the problem, resulting in increased security force.

Ms. Walters stated Mr. Gutierrez' statement is unfair because he does not know if the intoxicated individuals are from the shelter. Mr. Gutierrez stated he does not know if the individuals are from the shelter; however, he is certain they are homeless.

Wayne Mill, who resides at 215 Camino Santiago, was sworn in and stated the community seems to share a concern for the homeless, including those who oppose the location. He stated representatives of the shelter would not propose this location if they believed they were housing criminals, drug-abusers, and alcoholics. He feels there is a misconception as representatives only want to provide a safe home for these men.

Cecilia Vigil-Rael, who resides at 222 Valverde Street, was sworn in and opposes the shelter. She stated she owns property near the proposed shelter. She stated she does not want a shelter in the neighborhood and feels none of the area residents would want to sit on their board because most oppose the shelter. In regards to the females who deliver food safely to the shelter, she stated they are delivering the food to a secure environment. She pointed out that many women in the neighborhood live alone. She stated she does have humanity, but is concerned about their safety.

Amy Frisbie, who resides at 807 Dillon Lane, was sworn in and stated she opposes the shelter. She also read a letter from Annette Graves who resides at 817 Dillon Lane and opposes the shelter. Ms. Frisbie stated she felt fear immediately upon hearing of the proposed shelter.

1 Matt Frisbie, also resides at 807 Dillon Lane, was sworn in and stated he opposes the  
2 shelter. He stated it is unfair to add more stress to an already stressful family life by  
3 adding the shelter to the neighborhood. He stated the shelter had been proposed to be  
4 housed on Our Lady of Guadalupe Church property; however, it was denied due to  
5 the close proximity of the schools. He asked Mayor and Council to please keep their  
6 neighborhood safe.

7  
8 Vincent Lucero, who resides at 421 Herdner Road, was sworn in and stated he  
9 opposes the shelter. He realizes there is a need for the shelter; however, he feels it  
10 should not be located in a residential area. He stated he visited the shelter and did not  
11 have a pleasant experience and feels the shelter's policies are inadequate.

12  
13 Catherine Martinez, who resides at 227 Herdner Road, was sworn in and stated she  
14 opposes the shelter. She stated she fears for her family and her 86 year old mother  
15 who is sick and needs to be walked daily. She stated she spent thousand of dollars by  
16 placing a wooden fence, security doors, and sensor lights. She gave an example of a  
17 homeless man who entered her property and went to her back door instead of the  
18 front door. She stated she feared she was in danger and chased him away.

19  
20 Father Larry Brito, who resides at 205 Don Fernando Road, was sworn in and stated  
21 he supports the shelter. He stated this is an important issue and that representatives of  
22 the shelter do not wish to become enemies of the area neighbors; however the shelter  
23 is needed. He stated he is concerned for both the homeless and the neighbors and  
24 feels the community will be in greater danger without a shelter. He stated the  
25 homeless individuals' humanity needs to be considered and feels the Council should  
26 do what is best for the community.

27  
28 Maria Vigil, who resides at 206 San Felipe, was sworn in and stated she opposes the  
29 shelter. She stated she is terrified of having a shelter near her home and has found  
30 needles in her yard. She stated the shelter hours are from 7:00 p.m. to 7:00 a.m. and  
31 asked where the shelter residents go during off hours. She does not feel the shelter  
32 belongs in the proposed location.

33  
34 Luis Maestas, who resides at 314 Camino de la Merced, was sworn in and stated he  
35 opposes the shelter. He stated he has lived in the area for 27 years and has not  
36 experienced problems with crime. He stated he worked at Raley's and dealt with  
37 transients often. He stated if a person is not trained to deal with transients there will  
38 be trouble. He also stated he has always left his doors unlocked but he will not if the  
39 application is approved. He realizes Taos needs a shelter, but does not want it in the  
40 proposed location.

41  
42 Gary Trujillo, who resides at 807 Dillon, was sworn in and opposes the shelter. He  
43 stated the shelter could pose a danger to his family and his children. He urged the  
44 Council to vote "no" on the issue.

45

1 Ron Urban, representative of Taos Coalition to End Homelessness who resides at 218  
2 Rieback, was sworn in and stated he supports the shelter. He explained he used to  
3 own a restaurant and had homeless people sleep in dumpsters or other areas outside  
4 his restaurant and noticed they stopped sleeping in those areas once the current shelter  
5 opened.

6  
7 David Martinez, who resides at 310 Herdner Road, was sworn in and stated he  
8 opposes the shelter. He stated he works at Taos County Planning Department which is  
9 next to the current shelter and has observed residents of the shelter loitering in the  
10 area after 7:00 a.m. until about 10:00 a.m. He further stated the residents usually  
11 return to the shelter at around 3:00 p.m. He stated the neighborhood residents' at the  
12 proposed location are very concerned that shelter residents may be loitering in the  
13 neighborhoods during the daytime hours when the shelter is closed.

14  
15 Joe Mondragon, who resides at 454 Calle Cornelio, was sworn in and stated he  
16 opposes the proposed site of the shelter because the location is a residential area. He  
17 feels there are a lot of safety issues and stated the proposed site was once a dump. He  
18 asked if the location is even suitable to place a building on it. He is also concerned  
19 about the safety of children who will be attending events at the proposed Sports  
20 Complex.

21  
22 CLOSING STATEMENT FROM APPLICANT

23 Dr. Scott stated he hopes Council does not base their decision on what the people in  
24 the town might say about the homeless shelter. He stated 76% of the people who stay  
25 at the shelter are Taoseños and 24% are transients. He reiterated that a safe home  
26 must be provided for these individuals.

27  
28 CLOSING STATEMENT FROM APPELLANT

29 Mr. Trujillo stated the residents were asked to produce evidence of the negative  
30 impact a shelter would create in their community. They produced the evidence. He  
31 stated the question is not whether a shelter is needed, as everyone knows it needed –  
32 but not in a residential area. He stated homelessness is a choice. He feels the  
33 Coalition to End Homelessness should seek a suitable location for the shelter. He  
34 further stated the applicant did not produce any facts as to why a homeless shelter is  
35 good for the neighborhood. He urged the Council to not allow the shelter in this  
36 neighborhood.

37  
38 Mr. Spriggs stated the Planning & Zoning Commission based their approval on the  
39 conditions as presented.

40  
41 Mayor Cordova informed the Councilmembers the proposed property is currently  
42 involved in litigation whereas the Town has filed a lien on the property with the  
43 owner.

44  
45 After closing the public hearing, Mayor Cordova asked for questions from the  
46 Council.

1  
2 Councilmember Sanchez congratulated everyone who attended the public hearing.  
3 He stated this is a difficult situation and feels there is a perception that a homeless  
4 shelter brings danger to a community. He stated he met with Father Brito in 2004, but  
5 the church could not be used for the shelter. When the current building was  
6 purchased everyone knew it would be a temporary fix. He stated he finds it difficult  
7 to support the shelter being built in the residential neighborhood. He feels finding a  
8 more suitable property is everybody's responsibility and feels the problem cannot be  
9 handed down to another residential neighborhood. He asked if the residents would be  
10 willing to go to the County and ask if the shelter could be placed across the street  
11 from the new County Complex. Several members in the audience stated "yes."

12  
13 Councilmember Silva stated he concurs with Councilmember Sanchez's statements.  
14 He referred to item 1) on the Conditions of Approval regarding the applicant  
15 submitting a soils test for review and stated a geotechnical engineer would have to do  
16 this. He stated the site is located on an old dumpsite and in order to move fill, it  
17 would cost \$70-90 thousand dollars in tipping fees to take to the dump. He stated he  
18 wanted the applicant to be informed of these additional costs and asked Mr.  
19 Blankenhorn if he had researched this yet.

20  
21 Mr. Blankenhorn stated they had not considered the requirements to move the  
22 dumpsite fill.

23  
24 Councilmember Silva asked if Mr. Blankenhorn has considered the gasses which may  
25 be emitted from the dumpsite. Mr. Blankenhorn stated he has not considered the  
26 gasses as being an issue, however if it is an issue, the coalition may think about  
27 moving the shelter across the street to the other proposed property.

28  
29 Councilmember Silva stated the property across the street may pose the same issues  
30 and feels the health, safety and welfare of the neighborhood residents as well as the  
31 shelter residents must be considered.

32  
33 Councilmember Silva asked where the men go between the hours of 7 a.m. and 7 p.m.  
34 since the shelter is closed during those hours. Mr. Blankenhorn stated some go to  
35 work and some may loiter since they are not allowed to hang around the shelter.

36  
37 Councilmember Silva asked if there is a program to help the homeless men get on  
38 their feet and into a permanent home. Mr. Blankenhorn stated the manager and the  
39 co-manager talk to the men and try to point them in the right direction. He stated he  
40 would like to see the shelter as more than just a place for them to sleep. Dr. Scott  
41 stated they do provide case management for those who stay more than 3 days. The  
42 men are provided contact with employers, county housing, and medical facilities. He  
43 stated 50-60% of the men are employed during the day, but need cash to be able to  
44 move into a permanent home.

45

1 Councilmember Silva asked if the coalition keeps records of this data as none of this  
2 information was provided in the packets. Dr. Scott stated yes.

3  
4 Councilmember Silva asked how many of the men have their own vehicles. Dr. Scott  
5 stated most do not have vehicles and use public transportation.

6  
7 Councilmember Silva asked what kinds of weapons the men had in the past. Dr.  
8 Scott stated he is aware of 3 times in 18 months where someone had a handgun –  
9 usually the men who did have weapons had knives.

10  
11 Councilmember Quintana stated she also agrees with Councilmember Sanchez. She  
12 feels a shelter is very important, but does not belong in a residential area. She asked  
13 the area neighbors to write letters to County officials urging them to place the shelter  
14 permanently across from the County Complex.

15  
16 Mayor Pro Tem Abeyta reviewed the staff report and stated page 3 of the Land Use  
17 Development Code does allow a homeless shelter to be placed in a residential area.  
18 Further, he stated the applicant meets requirement B on page 4 except the setback  
19 requirement; however, the applicant has failed to meet requirement C which states,  
20 “The special use will not create a danger to the public health, safety, or welfare; nor  
21 cause an extraordinary public expense, nor create a nuisance.” He stated the  
22 appellants have proven the health, safety and welfare will be compromised. He stated  
23 the additional site discussed poses the same issues.

24  
25 Mayor Pro Tem Abeyta referred to the bottom of page 5 which reads, “the applicant  
26 will hold quarterly meetings open to all adjacent property owners” and stated he does  
27 not understand how this will help the neighborhood residents.

28  
29 Upon reviewing additional conditions, Mayor Pro Tem Abeyta referred to photos in  
30 the packets of residents loitering outside the current shelter. He stated he agrees a  
31 shelter is needed and feels the Taos Coalition to End Homelessness needs to take the  
32 lead. He indicated the property south of the current shelter is for sale and suggested  
33 having fundraisers for the shelter. He challenges Mr. Blankenhorn and Dr. Scott to  
34 find a better location.

35  
36 Mr. Spriggs clarified any future location will be subject to a special use permit.

37  
38 Mayor Cordova stated he is concerned about the safety of the neighborhood residents  
39 since shelter residents are not subject to background checks. He stated there also  
40 seems to be no corrective path for shelter residents as there should be. He agreed that  
41 the shelter is needed, but not in this location. Mayor Cordova stated he takes offense  
42 to Dr. Scott’s remark that the Town of Taos is responsible for the homeless and  
43 clarified that the Town provided \$30,000 to purchase the current shelter working  
44 collaboratively with Taos County and Taos Municipal Schools. The Town was  
45 fiscally able to do so at the time. He stated the Town has always provided support to  
46 non-profits and will continue to do so long as the Town is fiscally able to.

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**Councilmember Silva moved, that based on the evidence presented in this appeal, the Council finds that the placement of the men’s shelter in this location creates a danger to the public health, safety and welfare in the neighborhood, may cause an extraordinary public expense and creates a nuisance. Therefore, the decision of the Planning and Zoning Commission is reversed and the application for the Special Use Permit is denied. Staff is hereby instructed to draft the appropriate documents reflecting this decision with appropriate findings of fact. In order that the requirement for written findings is coordinated with the beginning of the appeal time as set forth in Town Code §3-4.9(F)(3), the staff shall submit them to us for final approval along with the minutes of this meeting. Councilmember Quintana seconded the motion.**

Councilmember Sanchez stated that since Councilmember Silva read his motion he wanted to explain the motion was not preconceived as motions are prepared by legal staff for acceptance and denial. He further explained motions are prepared so the law is maintained in the motion.

Mayor Pro Tem Abeyta stated that the Open Meetings Act allows the Mayor and Council to go into Executive Session during these public hearings to deliberate; however, the Council chose not to do so, leaving the issues to be discussed openly.

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

**8. ADJOURNMENT:** A motion was made by **Mayor Pro Tem Abeyta** and seconded by **Councilmember Quintana** to adjourn the meeting. The motion carried unanimously and the meeting adjourned at **5:00 p.m.**

**APPROVED:**

\_\_\_\_\_  
**Darren M. Cordova, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Renee Lucero, Town Clerk**

*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.*