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**MINUTES
BUDGET MEETING**

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

**June 16, 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 Sanchez led the audience in the pledge of allegiance.

**4. APPROVAL OF AGENDA:
Add Item 10 – Matters from Mayor and Council.**

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

5. APPROVAL OF MINUTES:

**Special Meetings
*May 22, 2009***

Councilmember Quintana made a motion to approve the Minutes of the May 22, 2009, Special Meeting as presented. Councilmember Silva seconded the motion.

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

3
4 *May 26, 2009*

5 **Change “Welles” to “Wells” on page 1 and 2.**

6
7 **Councilmember Silva made a motion to approve the Minutes of the May 26,**
8 **2009, Special Meeting as amended. Councilmember Sanchez seconded the**
9 **motion. The motion was approved by an affirmative vote. Those voting AYE**
10 **were: Mayor Pro Tem Abeyta and Councilmembers Sanchez, Quintana and**
11 **Silva.**

12
13 *May 29, 2009*

14
15 **Councilmember Quintana made a motion to approve the Minutes of the May 29,**
16 **2009, Special Meeting as presented. Councilmember Silva seconded the motion.**
17 **The motion was approved by an affirmative vote. Those voting AYE were:**
18 **Mayor Pro Tem Abeyta and Councilmembers Sanchez, Quintana and Silva.**

19
20 **6. CITIZENS FORUM**

21 **No one came forward.**

22
23 **7. MATTERS FROM STAFF**

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

25 Approval of Resolution 09-32 approving the grant application to the New Mexico
26 Energy, Minerals, and Natural Resources Division for the implementation of the
27 High Performance Building Ordinance and the installation of a solar array at
28 Town Hall and the Youth & Family Center.

29
30 Mayor Pro Tem Abeyta thanked Matthew Foster, Long-Range Planner, for his
31 efforts in moving Taos toward solar efficiency.

32
33 Mayor Cordova recommended adding the word “sustainability” to the second line
34 of the second “Whereas”.

35
36 **Councilmember Sanchez made a motion to approve Resolution 09-32 with**
37 **amendment as recommended by Mayor Cordova. Councilmember Quintana**
38 **seconded the motion. The motion was approved by an affirmative vote.**
39 **Those voting AYE were: Mayor Pro Tem Abeyta and Councilmembers**
40 **Sanchez, Quintana, and Silva.**

41
42 **B. Manuel Pacheco, Buildings & Grounds Director**

- 43 1. Approval of Change Order No. 7 to Contract # TT-08-284 with Gerald Martin
44 in the amount of \$55,474.89 inclusive of Gross Receipts Tax for Town Hall
45 additions and remodeling. (Bid # 07-08-14)

1 Mayor Cordova stated he is very concerned about the quality of work at the
2 Town Hall renovation. Manuel Pacheco, Buildings & Grounds Director,
3 stated he is also concerned and will follow up with the contractor.
4

5 There was a discussion regarding handwritten notes by the contractor in
6 Change Orders 7 and 8. The contractor wrote "Gerald Martin General
7 Contractors Ltd. reserves the right to make claims for additional contract time
8 and associated costs as a result of this Change Order".
9

10 Councilmember Silva stated for the record that all the invoices from the
11 subcontractors are prior to the substantial completion date; therefore, it is
12 essential that the Change Order be approved.
13

14 **Councilmember Sanchez made a motion to approve Change Order No. 7**
15 **to Contract # TT-08-284 with Gerald Martin with no additional time as**
16 **written by Contractor. Mayor Pro Tem Abeyta seconded the motion.**
17 **The motion was approved by an affirmative vote. Those voting AYE**
18 **were: Mayor Pro Tem Abeyta and Councilmembers Sanchez, Quintana,**
19 **and Silva.**
20

- 21 2. Approval of Change Order No. 8 to Contract # TT-08-284 with Gerald Martin
22 in the amount of \$111,707.17 inclusive of Gross Receipts Tax for Town Hall
23 additions and remodeling. (Bid # 07-08-14)
24

25 **Councilmember Quintana made a motion to remove Change Order**
26 **Request No. 1 for LED Sign Removal in the amount of \$8,295.15.**
27 **Councilmember Sanchez seconded the motion. The motion was approved**
28 **by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta**
29 **and Councilmembers Sanchez and Quintana. Councilmember Silva**
30 **abstained because his family business is mentioned in the Change Order.**
31

32 **Councilmember Sanchez made a motion to approve the following Change**
33 **Order Requests:**
34

35 **No. 2: Additional Asphalt Paving in the amount of \$15,950.08;**

36 **No. 3: Two Camera rough-ins in the amount of \$558.82;**

37 **No. 4: Countertop modification at Executive Office in the amount of**
38 **\$2,318.71;**

39 **No. 5: Relocate x bracing in the amount of \$5,893.10;**

40 **No. 6: Repair existing aluminum windows in the amount of \$11,257.18;**

41 **No. 8: Add floor drain at unisex in the amount of \$2,486.69;**

42 **No. 9: Add fire resist membrane at wood areas in the amount of**
43 **\$5,447.44.**
44

45 **Councilmember Quintana seconded the motion. The motion was**
46 **approved by an affirmative vote. Those voting AYE were: Mayor Pro**

1 **Tem Abeyta and Councilmembers Sanchez and Quintana.**
2 **Councilmember Silva abstained because his family business is mentioned**
3 **in the Change Order.**

4
5 **Mayor Pro Tem Abeyta made a motion to remove Change Order Request**
6 **No. 7 for Demo Existing quarry tile, install dyed/polished concrete floors**
7 **in the amount of \$59,500 subject to adequate and accepted**
8 **documentation submitted to Town staff. Those voting AYE were: Mayor**
9 **Pro Tem Abeyta and Councilmembers Sanchez and Quintana.**
10 **Councilmember Silva abstained because his family business is mentioned**
11 **in the Change Order.**

12
13 Allen Ferguson, Town Attorney, recommended that Council approve the
14 Change Order Requests with no additional time as written by the Contractor.

15
16 **Councilmember Sanchez made a motion to approve the Change Order**
17 **Requests with no additional time as written by the Contractor.**
18 **Councilmember Quintana seconded the motion. The motion was**
19 **approved by an affirmative vote. Those voting AYE were: Mayor Pro**
20 **Tem Abeyta and Councilmembers Sanchez and Quintana.**
21 **Councilmember Silva abstained because his family business is mentioned**
22 **in the Change Order.**

23
24 **8. PUBLIC HEARINGS**

25 **Marietta Fambro, Finance Director**

26 Consideration and approval of Ordinance 09-11 authorizing the execution and
27 delivery of a loan agreement and intercept agreement by and between the Town of
28 Taos, New Mexico (the “governmental unit”) and the New Mexico Finance Authority
29 for the purpose of constructing Phase 1 of the Eco Park. *(Item continued from 5/29/09*
30 *Special Meeting)*

31
32 Mr. Ferguson stated Ordinance 09-11 has been continued twice. He recommends
33 tabling the ordinance and republishing it after all issues with the land have been
34 worked out with Taos Municipal Schools.

35
36 **Councilmember Sanchez made a motion to table Ordinance 09-11.**
37 **Councilmember Quintana seconded the motion. The motion was approved by**
38 **an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**
39 **Councilmembers Sanchez, Quintana, and Silva.**

40
41 **9. MATTERS FROM THE TOWN MANAGER**

42 ***Annual Budget Presentation: By Daniel Miera, Town Manager***

43 **A. Approval of Resolution 09-29; 2009-2010 Budget Policies**

44
45 **Councilmember Quintana made a motion to approve Resolution 09-29.**
46 **Councilmember Silva seconded the motion. The motion was approved by an**

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

3
4 **B. Approval of Resolution 09-30; 2009-2010 Capital Improvements Projects**

5
6 Councilmember Sanchez stated the Council discussed deleting projects which
7 have not been completed; however, the Little League Ball Field is still listed. He
8 asked why it is still in the plan. Daniel Miera, Town Manager, stated the Town is
9 the fiscal agent for Taos Little League and explained that some of the funding has
10 been expended and believes the remaining funding will be used for a batting cage.

11
12 Councilmember Sanchez stated he'd like the funding for the tennis courts to be
13 removed from the budget because they are in bad condition. Mr. Miera stated the
14 carry-over for the tennis courts is not a first priority for the Parks Division. Mr.
15 Miera went on to update Councilmember Sanchez on several projects which were
16 carried over into the new fiscal year.

17
18 **Councilmember Quintana made a motion to approve Resolution 09-30.**
19 **Mayor Pro Tem Abeyta seconded the motion. The motion was approved by**
20 **an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**
21 **Councilmembers Sanchez, Quintana, and Silva.**

22
23 **C. Approval of Resolution 09-28; 2009-2010 Compensation & Benefits**

24
25 **Councilmember Quintana made a motion to approve Resolution 09-28.**
26 **Councilmember Silva seconded the motion. The motion was approved by an**
27 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta and**
28 **Councilmembers Sanchez, Quintana, and Silva.**

29
30 **D. PUBLIC HEARING: Approval of Resolution 09-31; 2009-10 Annual Operating**
31 **Budget.**

32
33 Mr. Miera presented Resolution 09-31; 2009-10 Annual Operating Budget to the
34 Mayor and Council.

35
36 *Public Opinion*

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

38
39 After closing the public hearing, Mayor Cordova asked for questions from the
40 Council.

41
42 Councilmember Sanchez stated the Convention Center only brings in \$100,000 in
43 revenues. He believes municipalities should not have convention centers and
44 feels the Town uses too much money for the Convention Center. He also stated
45 the Town should sell the Police Department building once they move into the
46 Mary Medina Building and use the funding for the soccer fields. Additionally,

1 Councilmember Sanchez stated the Town needs to evaluate how to generate
2 funding from the budget in order to support non-profits.

3
4 **Councilmember Quintana made a motion to approve Resolution 09-31.**
5 **Councilmember Silva seconded the motion.**

6
7 Marietta Fambro, Finance Director, stated the unaudited beginning balance will
8 continue to change until July 31, 2009. She also stated the expenditures and
9 revenues will not change, with the exception of carry-over projects that may have
10 expenditures between now and the end of the fiscal year.

11
12 Mayor Cordova stated in regards to the Town operating the Convention Center,
13 the Town has always gone above and beyond providing services to the
14 community. He stated several departments provide a community service and
15 don't generate money; however it is still the Town's responsibility to provide the
16 services. The Town's first priority should be to provide for the health, safety and
17 welfare of the community, then provide for non-profits.

18
19 Councilmember Sanchez stated he still believes the convention center is and
20 always has been a money-burner and believes the Town should not be in
21 competition with other local convention centers.

22
23 Councilmember Quintana stated large conventions at the Convention Center are
24 an economic benefit to the entire community.

25
26 **The motion was approved by an affirmative vote. Those voting AYE were:**
27 **Mayor Pro Tem Abeyta and Councilmembers Sanchez, Quintana, and Silva.**

28 29 **10. MATTERS FROM THE MAYOR AND COUNCIL**

30 Mayor Pro Tem Abeyta stated he would like to comment on the Horsefly Online
31 reporting and made the following statement for the record:

32
33 "On two recent articles released by Mr. Bill Whaley online, he quoted Mr. Arcenio
34 Cordova, School Board Member, as stating "I am very disappointed such indecision
35 and rejection by Abeyta" regarding the Joint Powers Agreement. The Town Council
36 has approved unanimously the Joint Powers Agreement. I have absolutely no idea
37 what Mr. Arcenio Cordova is referring to. I support the Joint Powers Agreement
38 fully. The fact that we didn't support the \$6 million was a business decision. It
39 didn't fit our budget. Mr. Arcenio Cordova and I have had our differences with the
40 inappropriate handling, in my opinion, of Dr. Delong and so now I see retaliation.
41 Further, Mr. Whaley criticized my sister-in-law, my brother-in-law, and my brother.
42 That's just playing below the belt and it is unprofessional and unethical. He
43 mentioned my parents as living near the Ashram Temple and that's why I voted
44 against the Ashram Temple. For Billy Whaley's information, my father has been dead
45 19 plus years. He quoted Michael Torres, School Board Member, as being
46 disappointed with my comments concerning the Joint Powers Agreement. Mr.

1 Michael Torres called me the same evening that the article hit online and virtually
2 apologized and stated that Mr. Bill Whaley had taken his comments completely out of
3 context from the previous Wednesday night. Bottom line, Mr. Bill Whaley continues
4 to divide the Taos community with his biased and inaccurate reporting. I personally
5 hereby challenge Mr. Bill Whaley to start reporting accurately and without bias.”
6

7 **11. ADJOURNMENT: A motion was made by Mayor Pro Tem Abeyta and**
8 **seconded by Councilmember Quintana to adjourn the meeting. The motion**
9 **carried unanimously and the meeting adjourned at 4:31 p.m.**
10

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16 **APPROVED:**

17
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19 _____
20 **Darren M. Cordova, Mayor**
21

22
23 **ATTEST:**

24
25 _____
26 **Renee Lucero, Town Clerk**
27
28
29

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.