



**AGENDA**  
**February 22, 2011**  
**Regular Meeting**  
**Town Council Chambers - 120 Civic Plaza Drive**  
**1:30 PM**

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**1. CALL TO ORDER BY THE HONORABLE MAYOR DARREN M. CORDOVA**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF AGENDA**

**5. APPROVAL OF MINUTES**

A. January 25, 2011 Regular Meeting Minutes

B. January 26, 2011 Mid-Year Organization Meeting Minutes

C. January 26, 2011 State of the Town Meeting Minutes

D. January 27, 2011 Special Meeting Minutes

**6. CITIZENS FORUM**

**7. MATTERS FROM STAFF**

A. Cathy Connelly, Public Relations Director

Taos Sports Alliance will present the Mayor and Council with the Taos Eco Park FIFA 2 Star Field Plaque.

B. Marietta Fambro, Finance Director

Consideration and approval of Resolution 11-14; Mid-year budget adjustment request for various departments. The mid-year budget adjustment process allows us to view what we have spent in the first six months and what we need to budget for the next six months of the fiscal year. Our GRT revenues have seen an increase of 13.23% through the first six months of the fiscal year. All other general fund revenues are on track as estimated at the beginning of the fiscal year. After

reviewing each departments' budget in general fund we continue to have savings in personnel due to attrition within certain departments. Our net savings amongst all general fund departments is \$190,200, which will be reverted back to the unreserved fund balance in general fund. A summary of all other funds including the general fund have been included with the agenda packet.

## **8. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER**

### **A. Francisco "French" Espinoza, Public Works Director**

Discussion regarding the realignment of Siler Road and Los Pandos Road.

### **B. Executive Session**

The Council will adjourn to go into Executive Session to discuss the Brenner Parking Lot lease pursuant to NMSA 1978 Section 10-15-1.H (8). The Council will also discuss threatened or pending litigation in which the Town is or may become a participant regarding the following: 1) the Spring Ditch Acequia Association v. Town of Taos, Case 10-CIV 624; 2) the Matter of an Investigation into New Mexico Gas Company's Curtailments of Gas Deliveries to New Mexico Consumers, PRC Case No. 11-00039-UT; 3) Parker Excavating vs. Town of Taos; 4) Affordable Housing; 5) State of NM v. Abeyta (Taos Indian Water Rights litigation case, federal court, implementation).

### **C. Lease of Brenner Parking Lot**

Consideration and approval of proposed lease agreement between Town of Taos and Ann Brenner for municipal parking lot on Camino de la Placita.

## **9. ADJOURNMENT**

### **APPROVED:**

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**Darren M. Cordova, Mayor**

### **ATTEST:**

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**Renee Lucero, Town Clerk**

- *To request details on an agenda item please contact the Town Clerk at 400 Camino de la*

*Placita, Taos New Mexico, 87571 (575) 751-2005.*

- *If you are an individual with a disability who is in need of aid or service to attend and/or participate in a meeting of the Town of Taos Council, please contact the office of the Town Clerk at 400 Camino de la Placita, Taos New Mexico, 87571 (575) 751-2005 at least 24 hours in advance.*
- *For copies of this agenda please pick-up at Town Hall.*



**February 22, 2011**

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**Title:**

January 25, 2011 Regular Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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**APPROVALS:**

Date/Time:

2/11/2011 4:47 PM

Approval:

Approved

Department:

Town Clerk



**MINUTES**  
**January 25, 2011**  
**Regular Meeting**  
**Town Council Chambers - 120 Civic Plaza Drive**  
**1:30 PM**

---

**1. CALL TO ORDER BY THE HONORABLE MAYOR DARREN M. CORDOVA**

**The Regular Meeting of the Taos Town Council was called to order by the Honorable Mayor Pro Tem Rudy C. Abeyta at 1:32 p.m.**

**2. ROLL CALL**

**Ms. Renee Lucero, Town Clerk, called roll and a quorum was present.**

**Those present were:**

Mayor Pro Tem, Rudy C. Abeyta  
Councilmember, A. Eugene Sanchez  
Councilmember, Amy J. Quintana  
Councilmember, Michael A. Silva  
Youth Councilmember, Brooke Cisneros

**Also present were:**

Town Manager, Daniel Miera  
Assistant Town Manager, Abigail Adame  
Town Clerk, Renee Lucero  
Town Attorney, Allen Ferguson

**Absent was:**

Mayor, Darren M. Cordova (attended a meeting with Governor Martinez)

**3. PLEDGE OF ALLEGIANCE**

**Councilmember Quintana led the audience in the pledge of allegiance.**

**4. APPROVAL OF AGENDA**

**Councilmember Silva made a motion to approve the Agenda as**

presented. Councilmember Sanchez 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.

## 5. AWARDS AND RECOGNITIONS

### A. Brian Greer, Youth and Family Center Director

Recognition of Brenden Miera and Feliz Espinoza for placing first in the Local and Sectional Competition for the NFL Pepsi, Punt, Pass and Kick Competition. With their outstanding performance in the Sectional Competition they qualified to participate in the 2010 Arizona Cardinals NFL Punt, Pass and Kick Team Championship on December 5, 2010 in Glendale, Arizona where Brenden placed third and Feliz placed fourth amongst exceptional talent from Arizona and New Mexico.

## 6. CITIZENS FORUM

### A. Butch White

Mr. White suggested changing the Taos Public Library opening hours from 10:00 a.m. to 9:00 a.m. as he does not believe it would cost the Town much more money to open one hour earlier. He also asked that the cell phone ordinance be enforced.

Mayor Pro Tem Abeyta asked Mr. Miera to evaluate the feasibility of opening the Taos Public Library at 9:00 a.m. and also stated the Town's police officers do enforce the Cell Phone Ordinance; however, there are only a few officers and thousands of motorists making it difficult to stop all who violate the ordinance. Mr. Miera stated the Taos Public Library hours are based on the number of visitors to the library; however, he will follow up on Mayor Pro Tem Abeyta's direction.

### B. Marilyn Hoff

Ms. Hoff commended the Mayor and Council for addressing the proposed chemistry and metallurgy research replacement nuclear facility at Los Alamos National Laboratory.

Mayor Pro Tem Abeyta stated Ms. Hoff may speak more on this subject when the item (Resolution 11-03) comes up on the agenda.

### C. Jean Greene

Ms. Greene asked for an update on air monitors to protect the Town and County from the particulates in the air. Mr. Miera stated he spoke with the Environment Department and they plan to install a monitor at the Youth & Family Center.

## 7. MATTERS FROM STAFF

### A. Marietta Fambro, Finance Director

Approval of Resolution 11-07; Budget Adjustment Request: 1) Facilities Improvements Fund (50) - Decrease operating expense and increase interfund transfer out to Fund 51 to cover the architectural services for

the Medina building needs assessment, programming and concept development in the amount of \$4,104; 2) Capital Projects Fund (51) - Increase interfund transfer in from Fund 50 and capital outlay - Design of the Medina building in the amount of \$4,104 to cover the architectural services for the Medina building needs assessment, programming and concept development.

Ms. Fambro stated this budget adjustment is for the conceptual design of the Mary Medina Building.

**Councilmember Silva made a motion to approve Resolution 11-07 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.**

## 8. MATTERS FROM THE TOWN ATTORNEY

### A. Allen Ferguson, Town Attorney

Discussion of proposed Ordinance 11-03, Amending Ordinance 05-03, the umbrella Affordable Housing ordinance which establishes an Affordable Housing Program pursuant to the Affordable Housing Act; defining terms; establishing application requirements and review criteria; and establishing procedures to administer an Affordable Housing Program. The New Mexico Mortgage Finance Authority approved these proposed amendments to the Affordable Housing Ordinance in November, 2010. Judith Tamm, Executive Director of Taos Housing Corporation, who worked on the ordinance changes with Allen Ferguson and Matthew Spriggs, will be present to discuss the changes from the original ordinance and the reasons for the changes.

Judith Tamm, Executive Director of Taos Housing Authority, stated the proposed changes to the Affordable Housing Ordinance will clarify terminology and will also assist with efficient implementation of the ordinance. Furthermore, she explained the proposed ordinance will act as an "umbrella" ordinance in order to establish the Affordable Housing Program and further explained that separate ordinances will need to be adopted for each project.

Mr. Ferguson stated the Mortgage Finance Authority has approved the proposed revised ordinance; however, they have not approved the revised Chamisa Verde Ordinance because they are requiring that title searches be conducted on the properties prior to approval.

Matthew Spriggs, former Community & Economic Development Director, stated any Affordable Housing project must be approved by the Mortgage Finance Authority then adopted by the Town Council before the projects can move forward.

There was a lengthy discussion about whether the Town should go out for Request for Proposals for the management of the Affordable Housing Program.

NO ACTION WAS TAKEN AS THIS ITEM WAS ONLY FOR DISCUSSION.

## 9. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER

### A. Resolution 11-03

Consideration and approval of Resolution 11-03; A Resolution that supports halting any and all work on the proposed Chemistry Metallurgy Research Replacement Nuclear Facility (CMRR-NF) at Los Alamos National Laboratory until a new and full Environmental Impact Statement, with scoping, is completed by the Department of Energy.

Mayor Pro Tem Abeyta stated Mayor Cordova could not attend today's meeting; however, he has expressed that he fully supports Resolution 11-03. Mayor Pro Tem Abeyta read the resolution for the record.

The Councilmembers expressed their support of the resolution.

Also in support of the Resolution were two citizens: Marilyn Hoff and Gaia Mika. Both citizens spoke about how extremely dangerous the plutonium processing plants are.

**Councilmember Silva made a motion to approve Resolution 11-03 as presented. Councilmember Sanchez 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. Youth Councilmember

Youth Councilmember Cisneros stated she and two other high school students organized a School Board Forum yesterday which was well attended with about 140 high school students watching the forum. She also stated she is in the process of having professionals throughout the community talk to high school students about their careers and she may call upon the Mayor and Councilmembers to participate.

Councilmember Silva commended Youth Councilmember for doing a good job.

## 10. ADJOURNMENT

**A motion was made by Councilmember Quintana and seconded by Councilmember Sanchez to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 2:57 p.m.**

### APPROVED:

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**Darren M. Cordova, Mayor**



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2  
3 **ATTEST:**  
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6 \_\_\_\_\_  
7 **Renee Lucero, Town Clerk**  
8

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11 ***Meetings, with controversial issues, are video recorded. Copies are available upon***  
12 ***request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005)***  
13 ***at a fee of \$5.00 for audio recordings and \$10.00 for video recordings.***  
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**February 22, 2011**

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**Title:**

January 26, 2011 Mid-Year Organization Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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 [Resolution](#)

**APPROVALS:**

Date/Time:

2/11/2011 4:47 PM

Approval:

Approved

Department:

Town Clerk



**MINUTES**  
**January 26, 2011**  
**Mid-Year Organization Meeting**  
**Rio Grande Hall – 121 Civic Plaza Drive**  
**4:00 p.m.**

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**1. CALL TO ORDER BY THE HONORABLE MAYOR DARREN M. CORDOVA**

The Mid-Year Organization Meeting of the Taos Town Council was called to order by the Honorable Mayor Darren M. Cordova at 4:11 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, Amy J. Quintana  
Councilmember, Michael A. Silva  
Youth Councilmember, Brooke Cisneros

**Also present were:**

Town Manager, Daniel Miera  
Assistant Town Manager, Abigail Adame  
Town Clerk, Renee Lucero  
Town Attorney, Allen Ferguson

**Absent/Excused was:**

Councilmember, A. Eugene Sanchez

**3. PLEDGE OF ALLEGIANCE**

Councilmember Quintana led the audience in the pledge of allegiance.

**4. APPROVAL OF AGENDA**

Add Item 5.D. – Mayor's Excellence and Achievement Award.

**Councilmember Silva made a motion to approve the 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 Quintana and Silva.**

## **5. AWARDS AND RECOGNITIONS**

Mayor Cordova stated he and the Council recognize that the employees are the foundation of the organization and thanked them for a superb job in 2010. He also stated the Town continues to operate in the black; however, due to the recession, 2011 will be challenging and everyone must collaborate to ensure that the Town continues to prosper.

With the assistance of the Town Council, Mayor Cordova distributed Years of Service Pins as follows:

### **A. Recognition of Employees' "Years of Service" to the Town and Distribution of Service Pins**

#### **1. 5 Years of Service**

Martinez, Mildred V.	10/31/2005
Valade, Carol A.	11/14/2005
Archuleta, Mark A.	4/4/2005
Ault, Nicholas B.	3/7/2005
Barnes, Austin M.	8/8/2005
Gallegos, Valentin G.	2/7/2005
Martinez, Lorenzo N.	10/14/2005
Sanchez, Jose Maria	4/27/2005
Trujillo, Jo	2/3/2005
Wood, Shannon M.	9/14/2005
Foster, Matthew L.	3/14/2005
Martinez, Anna	7/25/2005
Pacheco, Manuel L.	4/11/2005
Sanchez, Charlie F.	7/11/2005
Baca, Pablo	8/11/2005
Sanchez, Antonio L.	10/11/2005
Torres, Amos M.	2/7/2005
Gutierrez, Brandon A.	5/31/2005

#### **2. 10 Years of Service**

Garcia, Emilio	2/18/2000
Holfelder, Barry	5/12/2000
Molina, Roberto R.	8/29/2000
Pacheco, Marie L.	12/4/2000
Trujillo, David	4/15/2000
Rodriguez, Joseph	3/27/2000
Struck, Brenda	8/7/2000

#### **3. 15 Years of Service**

Fresquez, Karen	7/29/1995
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#### **4. 20 Years of Service**

Lucero, Catherine Renee	9/6/1990
Chavez, Richard G.	3/13/1990

## Mid-Year Organization Meeting Minutes

January 26, 2011

Lucero, Claudette

3/13/1990

**Recognition and 20-year service pin for Allen Vigil**

*Allen Vigil worked for the Town of Taos from April 1, 1981 through May 8, 2000; a month shy of 19 years of service. Allen returned as an employee of the Town on April 7, 2008, through the present date. We recently discovered that Allen did not receive recognition for 20-years of service with the Town as he should have in 2009. The Town apologizes for the misunderstanding and would like to acknowledge Allen's 20-years of service with the Town.*

**B. Recognition of "Employee of the Year" – Francisco "French" Espinoza**

Mayor Cordova recognized Francisco "French" Espinoza as Employee of the Year and thanked him for his dedication to the Town of Taos and for overseeing one of the largest departments in the Town of Taos.

**C. Recognition of "Team of the Year" - Human Resources Department**

Mayor Cordova recognized the Human Resources Department as Team of the Year and thanked the department for their many accomplishments and great teamwork.

**D. Mayor's Excellence and Achievement Award – Public Works Department**

Mayor Cordova presented the Mayor's Excellence and Achievement Award to the Public Works Department for going above and beyond the call of duty. He thanked each division of the Public Works Department for meeting all project timelines for grants awarded to the Town.

Mayor Cordova asked Youth Councilmember Brooke Cisneros if she would like to address the employees. On behalf of the youth of Taos, Ms. Cisneros thanked the Town employees for their hard work and dedication and encouraged them to keep up the good work.

**6. MATTERS FROM THE MAYOR AND COUNCIL**

Consideration and adoption of Resolution 11-06; Regarding the use of public property by large commercial events during calendar year 2011. This resolution sets the calendar for the issuance of permits for large commercial events on public property for the year 2011 and establishes Town policy to annually adopt such a calendar and to examine the economic impact of said calendaring.

Mayor Pro Tem Abeyta recommended changing the dates under Section 2 to May 28, 2011 through May 30, 2011 and September 3, 2011 through September 5, 2011 (Saturday through Monday instead of Friday through Sunday).

**Councilmember Silva made a motion to approve Resolution 11-06 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 Quintana and Silva.**

In closing, Daniel Miera, Town Manager, stated 2010 was a successfully year; although there were difficult moments, specifically during the development of the reorganization plan. He emphasized that while it was very difficult for the employees it was also difficult for the committee tasked with the development of the plan. He thanked the employees for their understanding. Mr. Miera also discussed the decline in revenues and how the Town of Taos will handle the situation by possibly increasing revenues through the increase of certain fees.

## Mid-Year Organization Meeting Minutes

January 26, 2011

1 In addition, Mr. Miera commended Judy Esquibel, Elias Padilla and Ed Ramsey for working  
2 with Kit Carson Electric to provide energy savings for LED lights that are used during the  
3 Holiday Season.

4  
5 Councilmember Silva stated he is proud to be part of this organization and thanked the  
6 employees for everything they do.

7  
8 Councilmember Quintana thanked each employee and stated she looks forward to working  
9 with everyone for the rest of her term.

10  
11 Mayor Pro Tem Abeyta stated the Town of Taos employees have done an awesome job at  
12 meeting the needs of constituents. He is looking forward to a great 2011 and assured the  
13 employees there will be no lay-offs unless it is absolutely necessary.

14  
15 Mayor Cordova invited the employees to attend the State of the Town Meeting. He stated  
16 2010 was challenging and 2011 may be more challenging; however, with the employees'  
17 continued professionalism, he is confident the Town will prosper. Furthermore, he stated the  
18 message for 2011 is collaboration, unity and combining resources. He thanked the  
19 employees for their commitment and devotion.

20  
21 **7. ADJOURNMENT**

22 **A motion was made by Mayor Pro Tem Abeyta and seconded by Councilmember Silva**  
23 **to adjourn the meeting. The motion carried unanimously and the meeting adjourned**  
24 **at 5:03 p.m.**

25  
26  
27 **APPROVED:**

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

33  
34 **ATTEST:**

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

39  
40  
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*for audio recordings and \$10.00 for video recordings.*



**February 22, 2011**

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**Title:**

January 26, 2011 State of the Town Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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**APPROVALS:**

Date/Time:

2/11/2011 4:47 PM

Approval:

Approved

Department:

Town Clerk



**MINUTES**  
**January 26, 2011**  
**STATE OF THE TOWN**  
**Rio Grande Hall – 121 Civic Plaza Drive**  
**5:30 p.m.**

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**1. CALL TO ORDER BY THE HONORABLE MAYOR DARREN M. CORDOVA**

The State of the Town Meeting of the Taos Town Council was called to order by the Honorable Mayor Darren M. Cordova at 5:35 p.m.

**2. ROLL CALL**

Ms. Francella Garcia, Clerk's Assistant, 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  
Youth Councilmember, Brooke Cisneros

**Also present were:**

Town Manager, Daniel Miera  
Assistant Town Manager, Abigail Adame  
Town Clerk, Renee Lucero  
Town Attorney, Allen Ferguson

**3. PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Abeyta led the audience in the pledge of allegiance.

**4. APPROVAL OF AGENDA**

Councilmember Sanchez made a motion to approve the Agenda 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.



1  
2 **5. MATTERS FROM MAYOR AND COUNCIL**

- 3 **A.** Consideration and approval of Resolution 11-01; Open Meetings Resolution. Pursuant to  
4 Section 10-15-1.D of the Open Meetings Act, any meetings of a quorum of such a public body at  
5 which the discussion or adoption of any proposed resolution, rule, regulation, ordinance or formal  
6 action occurs, and any closed meeting, shall be held only after reasonable notice to the public.  
7 The Open Meetings Act also requires the Town of Taos Town Council to determine annually what  
8 constitutes reasonable notice of its public meetings.  
9

10 The Mayor and Council discussed Paragraph 7 which would allow a member of the Governing  
11 Body to participate in a Council meeting by means of a conference telephone or similar  
12 communications equipment when the member cannot attend. The Council expressed the  
13 importance of attending the meetings in person.  
14

15 The Mayor and Council also discussed whether the agenda shall be posted and available two or  
16 three days prior to a regular or special meeting. The Council expressed the importance of giving  
17 three days notice to the public prior to the regular or special meeting.  
18

19 Mr. Ferguson recommended adding Paragraph 11 which states "For the purpose of this  
20 resolution, the term "days" shall mean "weekdays"; that is, days when the Town government is  
21 scheduled to be open for business."  
22

23 **Mayor Pro Tem Abeyta made a motion to approve Resolution 11-01 as amended by**  
24 **deleting Paragraph 7, posting agendas three days, instead of two days, prior to**  
25 **regular or special meetings and adding Paragraph 11 as recommended by the**  
26 **Town Attorney. Councilmember Silva seconded the motion. The motion was**  
27 **approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta,**  
28 **and Councilmembers Sanchez, Quintana and Silva.**  
29

- 30 **B.** Consideration and approval of Resolution 11-05; Council Policies and Procedures and rules for  
31 the conduct of Town Council Meetings. These rules shall establish the procedures for the  
32 conduct of all meetings of the Town Council of the Town of Taos.  
33

34 Mr. Ferguson recommended the following amendments to the Resolution:

- 35 - Under Section 4.1.F., add the following to the beginning of the fourth sentence: "With the  
36 exception of the five minute limitation, these same provisions apply to Quarterly Citizens  
37 Forums."  
38  
39 - Under Section 5.3.A., add the following at the end of the paragraph: "The Mayor may decide,  
40 in his reasonable discretion, whether to permit public comment on agenda items other than  
41 the Citizens' Forum and Public hearings."  
42

43 **Councilmember Quintana made a motion to approve Resolution 11-05 as amended.**  
44 **Councilmember Silva seconded the motion. The motion was approved by an**  
45 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**  
46 **Councilmembers Sanchez, Quintana and Silva.**  
47

- 48 **C.** Consideration and approval of Resolution 11-08; A resolution strongly urging the New Mexico  
49 State Legislature to pass, and the Governor to sign, legislation creating a Third District Judgeship  
50 in the Eighth Judicial District.

Councilmember Silva made a motion to approve Resolution 11-08 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. STATE OF THE TOWN ADDRESS *by Mayor Cordova*

Mayor Cordova introduced his wife, twin sons and other family members. He also introduced the spouses of the Councilmembers and acknowledged the dignitaries present in the audience.

Mayor Cordova reviewed each department's accomplishments and goals and thanked the Department Heads and staff for their continued hard work and dedication.

In closing, the Mayor stated he and the Council are committed to the constituents and are also open to any suggestions and concerns. Furthermore, he stated the Town will beat the economic downturn and he believes 2011 will be a good year.

## 7. ADJOURNMENT

A motion was made by Councilmember Silva and seconded by Councilmember Quintana to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 7:07 p.m.

### APPROVED:

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Darren M. Cordova, Mayor

### ATTEST:

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Renee Lucero, Town Clerk

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**February 22, 2011**

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**Title:**

January 27, 2011 Special Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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 [Minutes](#)

**APPROVALS:**

Date/Time:

2/11/2011 4:48 PM

Approval:

Approved

Department:

Town Clerk



**MINUTES**  
**January 27, 2011**  
**Special Meeting**  
**Town Council Chambers – 120 Civic Plaza Drive**  
**5:30 p.m.**

---

**1. CALL TO ORDER BY THE HONORABLE MAYOR DARREN M. CORDOVA**

The Special Meeting of the Taos Town Council was called to order by the Honorable Mayor Darren M. Cordova at 5:34 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, Amy J. Quintana  
Councilmember, A. Eugene Sanchez  
Councilmember, Michael A. Silva (came in late, but arrived during Executive Session)

**Also present were:**

Town Manager, Daniel Miera  
Assistant Town Manager, Abigail Adame  
Town Clerk, Renee Lucero  
Town Attorney, Allen Ferguson

**Absent was:**

Youth Councilmember, Brooke Cisneros

**3. PLEDGE OF ALLEGIANCE**

Councilmember Quintana led the audience in the pledge of allegiance.

**4. APPROVAL OF AGENDA**

After Citizens Forum ADD Executive Session to discuss limited personnel matters regarding the Town Manager pursuant to NMSA 1978 10-15-1-H.2.

1  
2 **Mayor Pro Tem Abeyta made a motion to approve the agenda as amended.**  
3 **Councilmember Sanchez seconded the motion. The motion was approved by an**  
4 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**  
5 **Councilmembers Sanchez and Quintana.**  
6

7 **5. CITIZENS FORUM**  
8

9 **6. EXECUTIVE SESSION**

10 **Mayor Pro Tem Abeyta made a motion to go into Executive Session to discuss limited**  
11 **personnel matters regarding the Town Manager pursuant to NMSA 1978 10-15-1-H.2.**  
12

13 **Councilmember Quintana seconded the motion. The motion was confirmed by an**  
14 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**  
15 **Councilmembers Sanchez and Quintana.**  
16

17 **At 7:34 p.m., Councilmember Silva made a motion to come out of Executive Session**  
18 **and stated discussion in the Executive Session was limited to the item as it was called**  
19 **for. Mayor Pro Tem Abeyta seconded the motion. The motion was confirmed by an**  
20 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**  
21 **Councilmembers Sanchez, Quintana and Silva.**  
22

23 *NOTE: After Executive Session there was mention of a suspension of the Town Manager;*  
24 *however, no Council action was taken pertaining to the matter. Mayor Cordova stated for the*  
25 *record that the suspension had nothing to do with items on today's agenda.*  
26

27 **7. MATTERS FROM STAFF**

28 **A. Marietta Fambro, Finance Director**

29 Approval of Resolution 11-09 Budget Adjustment Request: 1) General Fund (11) -  
30 Increase gross receipts tax (1%) and interfund transfer out to fund (90) in the amount of  
31 \$54,536 in order to cover an amount sufficient in the severance trust fund due to the  
32 recent action of the Town Council approving a severance pay increase for the Town  
33 Manager (from 6 months to 12 months) and per section 3.64.110 D. of the Town of Taos  
34 Municipal Code. 2) Severance Trust Fund (90) - Increase interfund transfer in from fund  
35 11 in the amount of \$54,536 in order to cover an amount sufficient in the severance trust  
36 fund due to the recent action of the Town Council approving a severance pay increase for  
37 the Town Manager (from 6 months to 12 months) and per section 3.64.110 D. of the  
38 Town of Taos Municipal Code.  
39

40 Ms. Fambro stated this resolution will allow the Town to set aside money to cover the  
41 Town Manager's severance pay.  
42

43 **Councilmember Sanchez made a motion to approve Resolution 11-09 as presented.**  
44 **Councilmember Silva seconded the motion.**  
45

## Special Meeting Minutes

January 27, 2011

1 There was a lengthy discussion regarding the money that is being set aside to cover the  
2 Severance Trust Fund.

3  
4 **The motion was approved by an affirmative vote. Those voting AYE were:**  
5 **Councilmembers Sanchez, Quintana and Silva. Voting NAY was: Mayor Pro Tem**  
6 **Abeyta.**

7  
8 **B. Marietta Fambro, Finance Director**

9 Approval of Resolution 11-11 Budget Adjustment Request: 1) General Fund (11) -  
10 Increase gross receipts tax (1%) and interfund transfer out to fund (90) in the amount of  
11 \$89,009 in order to cover an amount sufficient to fully fund the Severance Trust Fund for  
12 four of the five appointed employees per section 3.64.110 D. of the Town of Taos  
13 Municipal Code. 2) Severance Trust Fund (90) - Increase interfund transfer in from fund  
14 11 the amount of \$89,009 in order to cover an amount sufficient to fully fund the  
15 Severance Trust Fund for four of the five appointed employees per section 3.64.110 D. of  
16 the Town of Taos Municipal Code.

17  
18 Ms. Fambro stated this resolution allows the Town to set aside money to cover the  
19 severance pay of other four appointed employees.

20  
21 Mayor Cordova stated for the record that the Town needs to evaluate the severance  
22 packages for each of the appointed employees because it is unfair that the packages are  
23 different for each employee.

24  
25 **Mayor Pro Tem Abeyta made a motion to approve Resolution 11-11 as presented.**  
26 **Councilmember Quintana 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 **C. Marietta Fambro, Finance Director**

31 Approval of Resolution 11-10 Budget Adjustment Request: 1) General Fund (11) -  
32 Increase interfund transfer in from fund (12) and interfund transfer out to fund (25) in the  
33 amount of \$50,000 in order to cover an estimated amount needed in this fund for housing  
34 of prisoners through the end of the fiscal year. 2) General State Shared GRT Income  
35 Fund (12) - Increase state shared gross receipts tax (1.225%) and interfund transfer out  
36 to fund (11) in the amount of \$50,000 in order to cover an estimated amount needed in  
37 this fund for housing of prisoners through the end of the fiscal year. 3) Local Government  
38 Correction Fund (25) - Increase interfund transfer in from fund 11 and operating expense  
39 in the amount of \$50,000 in order to cover an estimated amount needed in this fund for  
40 housing of prisoners through the end of the fiscal year.

41  
42 **Councilmember Silva made a motion to approve Resolution 11-10 as presented.**  
43 **Councilmember Sanchez seconded the motion. The motion was approved by an**  
44 **affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and**  
45 **Councilmembers Sanchez, Quintana and Silva.**  
46

## Special Meeting Minutes

January 27, 2011

**8. MATTERS FROM THE TOWN MANAGER****Daniel Miera, Town Manager**

Consideration and approval of Amendment No. 3 to Contract TT-10-16 with Taos Local Television for the management of Channel 22 to include recording of Town Council Meetings, recording of Town Planning and Zoning Commission Meetings and daily programming which are televised to the public for viewing. The amendment is in the amount \$19,397.70 Inclusive of Gross Receipt Tax.

**Mayor Pro Tem Abeyta made a motion to approve Amendment No. 3 to Contract TT-10-16 with Taos Local Television 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.**

**9. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER**

The Mayor and Councilmembers discussed the realignment of La Posta Road, Siler Road and Paseo del Pueblo Norte. Mayor Cordova stated a meeting has been scheduled for February 1, 2011 to discuss the issue further.

Mayor Cordova stated he and other broadcasters had a very good meeting with Governor Martinez. He further stated the Governor has agreed to meet with him at a later date to discuss issues specifically affecting Taos.

**10. ADJOURNMENT**

**A motion was made by Mayor Pro Tem Abeyta and seconded by Councilmember Silva to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 8:16 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 \$10.00 for video recordings.*



**February 22, 2011**

---

**Title:**

Cathy Connelly, Public Relations Director

**Summary:**

Taos Sports Alliance will present the Mayor and Council with the Taos Eco Park FIFA 2 Star Field Plaque.

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available

**APPROVALS:**

Date/Time:	Approval:	Department:
2/11/2011 11:37 AM	Approved	Town Manager
2/11/2011 11:37 AM	Approved	Town Clerk





**February 22, 2011**

**Title:**

Marietta Fambro, Finance Director

**Summary:**

Consideration and approval of Resolution 11-14; Mid-year budget adjustment request for various departments. The mid-year budget adjustment process allows us to view what we have spent in the first six months and what we need to budget for the next six months of the fiscal year. Our GRT revenues have seen an increase of 13.23% through the first six months of the fiscal year. All other general fund revenues are on track as estimated at the beginning of the fiscal year. After reviewing each departments' budget in general fund we continue to have savings in personnel due to attrition within certain departments. Our net savings amongst all general fund departments is \$190,200, which will be reverted back to the unreserved fund balance in general fund. A summary of all other funds including the general fund have been included with the agenda packet.

**Background:**

Town of Taos Policy requires Council approval on all budget transfers that transfer funds between cost categories, (ie. Personnel, Operating Expenses and Capital Outlay), interfund transfers, budget increases, projects to projects and new projects.

**Attachments:**

Click to download

[Resolution No. 11-14](#)

[Summary of Mid-Year BAR's](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
2/15/2011 4:45 PM	Approved	Town Clerk



**TOWN OF TAOS, NEW MEXICO  
RESOLUTION 11-14**

WHEREAS the Town of Taos has adopted its operating budget for the fiscal year ending June 30, 2011, and

WHEREAS the governing body of the Town of Taos, meeting in Regular Session this 22<sup>nd</sup> day of February 2011, wishes to adjust its operating budget for the fiscal year ending June 30, 2011.

NOW, THEREFORE be it resolved that the governing body of the Town of Taos, meeting in Regular Session this 22<sup>nd</sup> day of February 2011, adopts this budget adjustment and respectfully requests approval from the Local Government Division of the Department of Finance and Administration to effect this budget adjustment.

**Amount**

**General Fund (11)**

Revenues and Other Sources:

Unreserved Fund Balance	\$ 190,200.00
Interfund Transfer In from Fund 24 (Marketing & Advertising)	\$ 13,500.00

Expenditures and other Financing Uses:

**Executive Department (11-11)**

Expenditures and other Financing Uses:

Personnel Services	\$ ( 4,420.00)
Operating Expenses	99.00
<b>Sub-Total</b>	<b>\$ (4,321.00)</b>

**Finance Department (11-13)**

Expenditures and other Financing Uses

Operating Expenses – Insurances	\$ 8,830.00
Operating Expenses – Other	840.00
<b>Sub-Total</b>	<b>\$ 9,670.00</b>

**Police Department (11-14)**Expenditures and other Financing Uses:

Personnel Services	\$ 16,393.00
Operating Expenses	( 6,529.00)
<b>Sub-Total</b>	<b>\$ 9,864.00</b>

**Fire Department (11-15)**Expenditures and other Financing Uses:

Personnel Services	\$ 4,393.00
Operating Expenses	( 4,393.00)
<b>Sub-Total</b>	<b>\$ 0.00</b>

**Streets Department (11-16)**Expenditures and other Financing Uses:

Personnel Services	\$ (30,729.00)
Operating Expenses	2,151.00
<b>Sub-Total</b>	<b>\$ (28,578.00)</b>

**Recreation Department (11-17)**Expenditures and other Financing Uses:

Personnel Services	\$ (21,794.00)
Operating Expenses	22.00
<b>Sub-Total</b>	<b>\$ ( 21,772.00)</b>

**Parks Department (11-18)**Expenditures and other Financing Uses:

Personnel Services	\$ (83,849.00)
Operating Expenses	29,658.00
<b>Sub-Total</b>	<b>\$ (54,191.00)</b>

**Fleet Department (11-19)**Expenditures and other Financing Uses:

Personnel Services	\$ 304.00
Operating Expenses	11,352.00
<b>Sub-Total</b>	<b>\$ 11,656.00</b>

**Community & Economic Development Department (11-20)**Expenditures and other Financing Uses:

Personnel Services	\$ (81,316.00)
Operating Expenses	( 6,989.00)
<b>Sub-Total</b>	<b>\$ ( 88,305.00)</b>

**Library Department (11-21)**Expenditures and other Financing Uses:

Personnel Services	\$ ( 1,446.00)
Operating Expenses	1,446.00
<b>Sub-Total</b>	<b>\$ 0.00</b>

**Human Resources Department (11-22)**Expenditures and other Financing Uses:

Personnel Services	\$ ( 1,291.00)
Operating Expenses	<u>( 58.00)</u>
<b>Sub-Total</b>	<b>\$ ( 1,347.00)</b>

**Buildings & Grounds Department (11-23)**Expenditures and other Financing Uses:

Personnel Services	\$ ( 6,613.00)
Operating Expenses	<u>63.00</u>
<b>Sub-Total</b>	<b>\$ ( 6,550.00)</b>

**Council (11-24) \***Expenditures and other Financing Uses:

Personnel Services	\$ 0.00
Operating Expenses	<u>13,500.00</u>
<b>Sub-Total</b>	<b>\$ 13,500.00</b>

**Pool Department (11-28)**Expenditures and other Financing Uses:

Personnel Services	\$ ( 17,979.00)
Operating Expenses	<u>10,531.00</u>
<b>Sub-Total</b>	<b>\$ ( 7,449.00)</b>

**Legal Department (11-29)**Expenditures and other Financing Uses:

Personnel Services	\$ ( 4,016.00)
Operating Expenses	<u>( 4,861.00)</u>
<b>Sub-Total</b>	<b>\$ ( 8,877.00)</b>

**TOTAL NET DECREASE OF EXPENDITURES\*  
FROM ALL DEPARTMENTS****\$ (190,200.00)****\*Not included in this total amount funded from Fund 24**

(To adjust the General Fund, these Mid-Year adjustments reflect the budgeted operating expenses, revenues and transfers needed by departments through the end of fiscal year.)

### Fire Protection Fund (21)

Revenues and Other Sources:

State Fire Allotment	\$ 51,622.00
----------------------	--------------

Expenditures and other Financing Uses:

Operating Expenses	\$(11,700.00)
Capital Outlay - Vehicles	51,622.00
Capital Outlay – Computers & Office Equip.	<u>11,700.00</u>
Total	\$ 51,622.00

(To adjust the Fire Protection Fund, these Mid-Year adjustments reflect the additional revenues from the State Fire Allotment based on the change of the distribution formula which was done prior to our revenue estimate.)

### Lodger's Tax Fund (23)

Revenues and Other Sources:

Unreserved Fund Balance	\$ 11,789.00
-------------------------	--------------

Expenditures and other Financing Uses:

Personnel	\$ 331.00
Operating Expenses	<u>(10,620.00)</u>
Total	\$(10,289.00)

(To adjust the Lodger's Tax Fund, these Mid-Year adjustments reflect the budgeted operating expenses, revenues and transfers needed by departments through the end of fiscal year.)

### Lodger's Tax Promotional Fund (24)

**Marketing & Advertising Program (24-17)**

Expenditures and other Financing Uses:

Interfund Transfer Out to General Fund (11)	\$ 13,500.00
Operating Expenses	<u>( 13,500.00)</u>
Total	\$ 0.00

**Visitors Center (24-00)**

Expenditures and other Financing Uses:

Personnel Services	\$ 1,824.00
Operating Expenses	<u>( 1,824.00)</u>
Total	\$ 0.00

(To adjust the Lodger's Tax Promotional Fund, these Mid-Year adjustments reflect the budgeted operating expenses, revenues and transfers needed by departments through the end of fiscal year.)

### Civic Center Fund (27)

Revenues and Other Sources:

Rentals	\$ (12,347.00)
Catering & Services	( 8,397.00)
Sale of Materials	<u>( 3,092.00)</u>
Total	\$ (23,836.00)

Expenditures and other Financing Uses:

Personnel Services	\$ (10,398.00)
Operating Expenses	<u>(13,438.00)</u>
Total	\$ (23,836.00)

(To adjust the Civic Center Fund, these Mid-Year adjustments reflect the budgeted operating expenses and transfers needed by departments through the end of fiscal year.)

### Transportation Fund (29)

Revenues and Other Sources:

Bus Fares	\$ ( 2,941.00)
-----------	----------------

Expenditures and other Financing Uses:

Personnel Services	\$ 3,096.00
Operating Expenses	<u>( 6,037.00)</u>
Total	\$ ( 2,941.00)

(To adjust the Transportation Fund, these Mid-Year adjustments reflect the budgeted operating expenses, revenues and transfers needed by departments through the end of fiscal year.)

### Community Grants Fund (30)

**Municipal Court Automation Grant (30-12)**

Expenditures and other Financing Uses:

Operating Expenses	\$ 6,275.00
Capital Expenses	<u>( 6,275.00)</u>
Total	\$ 0.00

(To adjust the Community Grants Fund, these Mid-Year adjustments reflect the budgeted operating expenses, revenues and transfers needed by departments through the end of fiscal year.)

## Facilities Improvements Fund (50)

### Expenditures and other Financing Uses:

Operating Expenses – <b>Building Maintenance (50-87)</b>	\$(21,000.00)
Capital Outlay - <b>New Project – Mower for Parks</b>	<u>21,000.00</u>
<b>Total</b>	<b>\$ 0.00</b>

(To adjust the Facilities Improvements Fund, these Mid-Year adjustments reflect the budgeted operating expenses for the budgeted Facilities Improvement Project expenses by departments through the end of fiscal year.)

## Capital Projects Fund (51)

### Expenditures and other Financing Uses:

#### **Plaza Cameras (51-15)**

Operating Expenses	\$ 21,535.00
Capital Outlay	<u>(21,535.00)</u>
<b>Total</b>	<b>0.00</b>

#### **Land Acquisition (51-74)**

Operating Expenses	\$ 5,740.00
Capital Outlay	<u>( 5,740.00)</u>
<b>Total</b>	<b>0.00</b>

(To adjust the Capital Projects Fund, these Mid-Year adjustments reflect the budgeted operating expenses and revenues for the budgeted Capital Project expenses by departments through the end of fiscal year.)

## Vehicle Replacement Fund (54)

### **Police Department**

#### Expenditures and other Financing Uses:

Operating Expenses	\$ 7,990.00
Capital Outlay	<u>( 7,990.00)</u>
<b>Total</b>	<b>\$ 0.00</b>

(To adjust the Communications Fund, these Mid-Year adjustments reflect the budgeted operating expenses, revenues and transfers needed by departments through the end of fiscal year.)

## 1999 Gas Tax Acquisition Fund (59)

### Revenues and Other Sources:

MAP Cooperative Agreement – Camino de la Merced	\$ 176,090.00
---	---------------

### Expenditures and other Financing Uses:

Capital Outlay – <b>NM 68 Sidewalk Project TM (59-46)</b>	\$ 1,057.00
Capital Outlay – <b>Bedford Design (59-50)</b>	( 1,057.00)
Total	0.00

Capital Outlay – <b>Reed/Alexander TM (59-55)</b>	\$ 612.00
Capital Outlay – <b>Bedford Design (59-50)</b>	( 612.00)
Total	0.00

Capital Outlay – <b>2011 CDBG TM (59-38)</b>	\$ 13,109.00
Capital Outlay – <b>Del Norte Lane Storm (59-51)</b>	(13,109.00)
Total	0.00

Capital Outlay – <b>Camino de la Merced MAP TM (59-New)</b>	\$ 58,697.00
Capital Outlay – <b>Del Norte Lane Storm (59-51)</b>	(58,697.00)
Total	0.00

(To adjust the 1999 Gas Tax Acquisition Fund, these Mid-Year adjustments reflect the budgeted operating expenses and revenues for the budgeted Capital Project expenses by departments through the end of fiscal year.)

## Water Enterprise Fund (62)

### **Water Department**

#### Expenditures and other Financing Uses:

Personnel Services	\$ 4,702.00
Operating Expenses	( 4,702.00)
<b>Sub-Total</b>	<b>\$ 0.00</b>

### **Utility Billing Division**

#### Expenditures and other Financing Uses:

Personnel Services	\$ ( 1,393.00)
Operating Expenses	1,393.00
<b>Sub-Total</b>	<b>\$ 0.00</b>

(To adjust the Water Enterprise Fund, these Mid-Year adjustments reflect the budgeted operating expenses and transfers needed by departments through the end of fiscal year.)



## Wastewater Enterprise Fund (63)

### Wastewater Division

#### Expenditures and other Financing Uses:

Personnel Services	\$ 2,293.00
Operating Expenses	<u>( 2,293.00)</u>
<b>Total</b>	<b>\$ 0.00</b>

(To adjust the Wastewater Fund, this Mid-Year adjustment reflects the budgeted operating expenses and transfers needed by departments through the end of fiscal year.)

## Water Rights Fund (64)

#### Revenues and Other Sources:

Unreserved Fund Balance	\$( 46,800.00)
-------------------------	----------------

#### Expenditures and other Financing Uses:

Interfund Transfer Out to Fund 81 for Well#9	\$ 46,800.00
--	--------------

(To adjust the Water Rights Fund, this Mid-Year adjustment reflects the budgeted operating expenses and transfers needed by departments through the end of fiscal year.)

## Solid Waste Fund (65)

### Recycling Division

#### Expenditures and other Financing Uses:

Personnel Services	\$ 6,987.00
Operating Expenses	20,098.00
Capital Outlay	<u>( 27,085.00)</u>
<b>Total</b>	<b>\$ 0.00</b>

(To adjust the Solid Waste Fund, this Mid-Year adjustment reflects the budgeted operating expenses and transfers needed by the department through the end of fiscal year.)

## Utility Improvements Fund (81)

### Revenues and Other Sources:

Taos Water System Grant	\$ 7,317.00
ARRA CWSRF Grant	\$(1,211,762.00)

### Expenditures and other Financing Uses:

Capital Outlay – <b>Taos Water System (81-74)</b>	\$ 7,317.00
---	-------------

Capital Outlay – <b>ARRA CWSRF Grant (81-03)</b>	\$(1,211,762.00)
--	------------------

(To adjust the Utility Improvements Fund, this Mid-Year adjustment reflects the budgeted operating expenses and transfers needed by departments through the end of fiscal year.)

## Taos Regional Landfill (82)

### Revenues and Other Sources:

Unreserved Fund Balance	\$ (30,480.00)
-------------------------	----------------

### Expenditures and other Financing Uses:

Personnel Services	\$( 4,061.00)
Operating Expenses	<u>34,542.00</u>

**Total \$ 30,480.00**

(To adjust the Taos Regional Landfill Fund, this Mid-Year adjustment reflects the budgeted operating expenses and transfers needed by the department through the end of fiscal year.)

**PASSED, APPROVED, AND ADOPTED THIS 22<sup>nd</sup> DAY OF FEBRUARY, 2011.**

Councilmember Rudy C. Abeyta	_____	
Councilmember A. Eugene Sanchez	_____	
Councilmember Amy J. Quintana	_____	
Councilmember Michael A. Silva	_____	

**TOWN OF TAOS**

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

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
**Allen Ferguson, Town Attorney**

**APPROVED:**

\_\_\_\_\_  
**Department of Finance and Administration**

**Date:** \_\_\_\_\_

MID-YEAR BAR SUMMARY  
2010-2011  
February 14, 2011

**GENERAL FUND SUMMARY:**

The Mid-Year Budget Adjustment process allows us to view what we have spent in the first six months and what we need to budget for the next six months of the fiscal year. Our GRT revenues have seen an increase of 13.23% in the first six months of the fiscal year. All other general fund revenues are on track as estimated at the beginning of the fiscal year.

After reviewing each Department budgets we continue to have savings in personnel due to attrition within certain departments. Our net savings amongst all general fund departments is \$190,200, which will be reverted back to the unreserved fund balance in general fund.

**FIRE PROTECTION FUND SUMMARY:**

The adjustment in this fund is to increase revenues and expenditures for the additional amount received from the State Fire Allotment based on the change for the distribution formula which was done prior to our revenue estimate. The increase will go to the vehicles line item to purchase a quick attack truck.

**LODGER'S TAX SUMMARY:**

After reviewing Lodger's Tax revenues we are within our estimated revenue projections. The Marketing and Advertising program is transferring out \$13,500 to general fund to cover a portion of the amount needed for Management of the Eco Park through the RFP process. The Convention Center has decreased revenues and expenditures by \$23,836 due to the off and on closure of the Convention Center. The Transportation Department has decreased revenues and expenditures by \$2,941 based on the decline in bus fares.

**CAPITAL PROJECTS:**

Throughout all Capital Funds we are transferring from capital outlay to operating expense, adding two new projects; 1) mower for parks - \$21,000; 2) MAP Coop Camino de la Merced - \$176,090 Grant and \$58,697 Town Match and cover expenses in three other projects.

**ENTERPRISE FUNDS:**

Review of Water, Wastewater, Solid Waste and Regional Landfill Funds find the revenues are on track with the estimated budget amounts. Throughout we are transferring from personnel services, operating or capital outlay. An additional amount from the unreserved fund balance in the Taos Regional Landfill Fund is being requested in the amount of \$30,480.00 to cover expenses in the rental line item for the roll-off contract. The Utility Improvements Fund is decreasing the ARRA grant in the amount of \$1,211,762 from a carryover amount that was incorrect at the beginning of the fiscal year that was combined with the \$1,000,000 loan.



**February 22, 2011**

---

**Title:**

Francisco "French" Espinoza, Public Works Director

**Summary:**

Discussion regarding the realignment of Siler Road and Los Pandos Road.

**Background:**

**Attachments:**

**Click to download**

 [Council Action](#)

**APPROVALS:**

Date/Time:

2/17/2011 9:24 AM

Approval:

Approved

Department:

Town Clerk

## Renee Lucero

---

**From:** Renee Lucero  
**Sent:** Thursday, February 10, 2011 5:06 PM  
**To:** Council; Daniel Miera; Abigail Adame; Allen Ferguson  
**Subject:** Smith's Gas Station Conditions

At the Regular Meeting on January 27<sup>th</sup> there was a discussion under Matters from Mayor and Council regarding realignment of the road next to the Smith's gas station. There was also discussion about whether there was a condition for Smith's to help with the realignment. I researched minutes and following are the minutes where the gas station was approved on December 19, 2006. Please let me know if you have any questions. Thank you.

2. Appeal Application, filed by Bret Walhen, of Great Basin Engineering, Agent for Smiths Food & Drug Centers, Inc. property owner. Appealing the decision of the Planning and Zoning Commission on September 11, 2006, which denied the requested Conditional Use Permit, for a proposed Smiths Fuel Center, at 232 Paseo del Pueblo Sur.

**Lou Baker, Planning Director**, presented the Appeal Application to the Mayor and Council.

### *Public Opinion*

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

- **Suzanne Walter, (Against)**
- **Carla M. Trujillo, (Against)**
- **Santiago Armijo, Store Director for Smith's Food and Drug (For)**
- **Bret Walhen, Engineer working for Smith's Food and Drug (For)**
- **Bruce VanHorn, Smith's Food and Drug (For)**
- **Frank Salazar, Attorney for Smith's Food and Drug, asked that the letter written by Bruce VanHorn dated November 10, 2006 to the Town of Taos Council be made part of the record. (For)**
- **Patrick Nicholson, Chair for Planning and Zoning (Against)**
- **Peter Wengert, (Against)**
- **Georgia Page, (Against)**
- **Darryl Lewis, (Against)**
- **Gene Sanchez (Against)**

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

**Councilmember Abeyta** asked if all technical requirements and all developmental standards had been met. **Ms. Baker** stated that all requirements had been met.

Ms. Baker read a letter that was received by fax today at 4:00 p.m. from the State Engineer's Office. The letter rescinds a letter that was dated October 30 which indicates that no future action is required on the access permit. The current letter

states that the project is on hold until further notice for review of all backup information relating to the traffic impact analysis.

**Councilmember Gonzales** asked if the old Smith's building would be torn down if this was approved. **Mr. Perea** stated that the building would be torn down. **Councilmember Gonzales** expressed concern about the traffic at Siler and SR 68. **Mr. Perea** stated that he understands that Smith's has agreed to help with the realignment of that road. They are working with the Public Works Director on this issue. He stated that there is nothing on record that supports this agreement, just conversations with the parties involved.

**Town Manager Benavidez** asked Mr. Bruce Van Horn if there is a guarantee that the gas prices will be lower than other places. Mr. Van Horn stated that there is no guarantee. The only thing that Smith's does guarantee is that they offer a discount program for people who purchase groceries at Smiths.

**Councilmember Cordova** wanted to go on record that he checked with the New Mexico Municipal League legal counsel to see if he could vote on this issue being that his brother is a Smith's employee. The legal counsel informed Councilmember Cordova that he could vote as long as there is no financial gain to him, which there is not.

**Councilmember Cordova made a motion to approve the Appeal Application contingent upon the following:**

1. The applicant receives approval from the State Engineer's Office to move forward with the project;
2. The applicant must place a wall between Smith's property and Carla M. Trujillo's property; and
3. The applicant must meet the following contingencies from the Planning and Zoning Department;
  - The applicant work with the town to post a performance bond or an unconditional bank letter of credit to help pay for the town's proposed modifications of Siler Road when Los Pandos is modified and realigned.
  - A finalized Storm Drainage Plan be submitted which complies with the Town of Taos Storm Drainage Ordinance and which incorporates the use of landscaping to address concerns with storm water runoff as recommended by one of the applicant's civil engineers prior to the issuance of a building permit.
  - A construction phasing plan be submitted which is reviewed and approved by the Town of Taos Police Chief and the Certified Construction Traffic Control Specialist in the Town of Taos Planning and Zoning Department prior to the issuance of a building permit.
  - The applicant demolish the nuisance building which currently exists on the subject property or bring a plan for its rehabilitation to the Planning and Zoning Department within 180 days of the approval of the proposed conditional use. Either of the options referenced above shall be enforced by the Planning and zoning Department.
  - The applicant work with the Town of Taos Planning Department Staff to redesign the proposed gas station site and building prior to the issuance of a building permit to make it more compliant with the principles of Vision 2020.



**Councilmember Abeyta seconded the motion.**

**Councilmember Cordova amended his motion to include that the applicant begins demolition of the old Smith's building 180 days after the issuance of the building permit. Councilmember Abeyta seconded the motion.**

**The motion was approved by an affirmative vote. Those voting AYE were: Councilmembers: Cordova, and Abeyta. Those voting NAY were: Gonzales and Struck. Mayor Bobby Duran broke the tie with a vote of AYE.**

Renee Lucero, Town Clerk  
Town of Taos  
400 Camino de la Placita  
Taos, NM 87571  
(575) 751-2005



**February 22, 2011**

**Title:**

Executive Session

**Summary:**

The Council will adjourn to go into Executive Session to discuss the Brenner Parking Lot lease pursuant to NMSA 1978 Section 10-15-1.H (8). The Council will also discuss threatened or pending litigation in which the Town is or may become a participant regarding the following: 1) the Spring Ditch Acequia Association v. Town of Taos, Case 10-CIV 624; 2) the Matter of an Investigation into New Mexico Gas Company's Curtailments of Gas Deliveries to New Mexico Consumers, PRC Case No. 11-00039-UT; 3) Parker Excavating vs. Town of Taos; 4) Affordable Housing; 5) State of NM v. Abeyta (Taos Indian Water Rights litigation case, federal court, implementation).

**Background:**

**Attachments:**

[Click to download](#)

No Attachments Available

**APPROVALS:**

Date/Time:	Approval:	Department:
2/11/2011 4:44 PM	Approved	Town Clerk



**February 22, 2011**

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**Title:**

Lease of Brenner Parking Lot

**Summary:**

Consideration and approval of proposed lease agreement between Town of Taos and Ann Brenner for municipal parking lot on Camino de la Placita.

**Background:**

**Attachments:**

**Click to download**

No Attachments Available

**APPROVALS:**

Date/Time:	Approval:	Department:
2/11/2011 4:45 PM	Approved	Town Clerk