



AGENDA
August 13, 2013
Regular Meeting

Town Council Chambers - 120 Civic Plaza Drive
6:30 PM

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. July 9, 2013 Regular Meeting Minutes
- B. July 11, 2013 Special Meeting Minutes
- C. July 23, 2013 Regular Meeting Minutes
- D. August 2, 2013 Special Meeting Minutes

6. AWARDS AND RECOGNITIONS

- A. Recognition of newly appointed Planning Director
Recognition and welcome of Martha Perkins who was recently appointed as the Town's Planning Director.
- B. Presentation of Proclamation for Back to School Safety
Mayor Cordova will present a proclamation for Back to School day encouraging safety when children are present.

7. CITIZENS FORUM - Citizens wishing to speak shall limit their comments to 5 minutes or less at the Mayor's discretion. No action may be taken.

8. MATTERS FROM STAFF

- A. **Back to School Plan**
Town staff will present its plan for helping ensure a safe return to school by students in Taos.
- B. **Affordable Housing for Artists**
Presentation and update from the Housing Trust regarding location options for affordable housing for artists project.
- C. **Resolution 13-38 Amendment to Taos Police Pay and Classification Plan**
Consideration and possible approval of Resolution 13-38 amending the Taos Police Pay and Classification Plan to eliminate the delineation of hours required for the certifications for extra pay in the Pay and Classification Plan and adopt the standards of the respective issuing agency. This resolution also adds the phrase "All pay increases are subject to budget availability" at the end of the document.
- D. **Renewal of amended Contract TT-13-49 with Taos Sports Alliance**
Consideration and possible renewal of Contract TT-13-49 with amendments in the amount of \$75,000 inclusive of gross receipts tax with the Taos Sports Alliance for the management and programming of the Taos Eco Park.
- E. **Resolution 13-35 Intergovernmental Transfer of Personal Property**
Consideration and possible approval of Resolution 13-35 approving the transfer to Taos County a 2002 Chevy Impala, a 1997 Dodge Ram 1500 4x4, and a 1995 Chevy S10 2WD pickup.
- F. **Creation of New Position - Assistant Town Attorney**
Consideration and possible approval to create a new position within the organizational chart and classification plan of the Town of Taos to assist the Town Attorney.
- G. **Update Regarding Central Communications**
Update regarding the relocation of Central Communications to the new Emergency Central Communications Center located at 1146 Gusdorf Road.
- H. **Amendment No. 1 to Contract TT-13-246 with CDI-Infrastructure, LLC dba L.R. Kimball**
Discussion and direction to the Town Manager to engage with CDI-Infrastructure, LLC, dba L.R. Kimball, to assist staff and plan for the possibility of having to operate the Emergency Dispatch Center with Taos County operating separate E911 Center and to provide recommendations on improvements to existing dispatch operations.

9. PUBLIC HEARINGS

- A. **Ordinance 13-11 Relating to Busker Activities**
Consideration and possible approval of Town of Taos Ordinance 13-11; An Ordinance Repealing Section 5.08.120 of the Town of Taos Code in its entirety. Effective upon the passing of the Town of Taos Ordinance 13-12; an Ordinance related to Panhandling on Public Property.

10. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER

A. Plaza Merchant Survey Results

The Town Manager will present the results of a survey taken of merchants in the vicinity of Taos Plaza and recommend a response to the request by merchants on the Taos Plaza not to allow any crafts fairs on the plaza.

B. Arts and Crafts Fairs

Consideration and possible approval to amend Resolution 11-06 regulating the use of Taos Plaza and Kit Carson Park and restricting arts and craft fairs to Kit Carson Park.

C. Resolution 13-39 Resolution of Civility

Consideration and possible approval of Resolution 13-39 emphasizing the Mayor and Council's commitment to maintain civility in the conduct of the public's business.

D. Interim Mayoral Appointment of Chief of Police

Consideration and approval of Mayor Cordova's appointment of Sergeant David Weaver to the position of Interim Chief of Police pursuant to NMSA 1978, Section 3-11-1 et. seq.

E. Open Meetings Act in relation to the Town's talks with the County over E911

Discussion of the Town's position with regard to the Open Meetings Act application to talks with the County over E911.

11. ADJOURNMENT

- *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. You may also view the agenda and the agenda packet at <http://public.taosgov.com/>.*



August 13, 2013

Title:

July 9, 2013 Regular Meeting Minutes

Summary:

Background:

Attachments:

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**MINUTES
July 9, 2013
Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive
6:30 PM**

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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 Darren M. Cordova at 6:35 p.m.**

2. ROLL CALL

Those present were:

Mayor, Darren M. Cordova
Mayor Pro Tem, Andrew T. Gonzales
Councilmember, Rudy C. Abeyta (arrived at 6:42 p.m.)
Councilmember, Michael A. Silva
Councilmember, Frederick A. Peralta
Youth Councilmember, Michael Landgraf (left at 8:10 p.m.)

Also present were:

Assistant Town Manager, Abigail Adame
Town Attorney, C. Brian James
Clerk's Assistant, Francella Garcia

Absent/Excused were:

Town Manager, Oscar Rodriguez
Town Clerk, Renee Lucero

3. PLEDGE OF ALLEGIANCE

Councilmember Gonzales led the audience in the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Councilmember Gonzales made a motion to approve. Councilmember Peralta seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Gonzales, Peralta, Silva. Those ABSENT were: Councilmembers: Abeyta.

5. APPROVAL OF MINUTES

A. June 11, 2013 Regular Meeting Minutes

Item Result: Approved

Councilmember Silva made a motion to approve. Councilmember Gonzales seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Gonzales, Peralta, Silva. Those ABSENT were: Councilmembers: Abeyta.

B. June 25, 2013 Regular Meeting Minutes

Item Result: Approved

Councilmember Silva made a motion to approve. Councilmember Gonzales seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Gonzales, Peralta, Silva. Those ABSENT were: Councilmembers: Abeyta.

6. AWARDS AND RECOGNITIONS

A. Recognition

The Mayor and Town Council recognized Taos Wal-Mart Store, Albertsons, Smiths, Super Save and Walgreens for addressing government officials concerns on the sale of fireworks during the current high fire risk conditions.

7. CITIZENS FORUM

The following individuals spoke during Citizens Forum:

* Jeff Northrup

8. MATTERS FROM STAFF

A. Presentation by Karel Dunning-Mirabal of Taos County Juvenile Justice Program

Karel Dunning-Mirabal, Program Coordinator for Taos County Juvenile Justice Program, gave a brief presentation regarding the program and it's services to the community.

Mayor Cordova and Council thanked Ms. Mirabal for her services to the community and emphasized the importance of programs which addresses gang prevention which is beneficial to the entire community.

B. Grant Agreement with New Mexico Children, Youth and Families

Department

Consideration and approval to accept grant agreement No. 14-690-16398 from the New Mexico Children, Youth and Families Department in the amount of \$134,000, and authorization for the Mayor to enter into a grant agreement. This grant will be used for operations of the Taos County Juvenile Justice Program from July 1, 2013 through June 20, 2014. The Town of Taos will act as the fiscal agent.

Item Result: Approved

Councilmember Peralta asked whether Taos County acts as the fiscal agent as well. Ms. Mirabal stated she believes Taos County was the fiscal agent in 2007. Mayor Cordova stated the program provides an essential service to the entire community and the Town is happy to assist.

Councilmember Gonzales made a motion to approve. Councilmember Silva seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

C. Approval of Lodger's Tax Agreed Upon Procedures FY 2011-2012

Review and approval of the Lodger's Tax Agreed Upon Procedures Lodger's Tax receipts collected and remitted to the Town of Taos for FY 2011-2012 prepared by Accounting and Consulting Group. This report is prepared in accordance with Town Code Chapter 4.12.150 - Lodgers Tax Audits and NMSA 1978 Section 3-38-14 - Lodger's Tax Act which requires audits of vendors in municipalities that collect in excess of \$250,000 in occupancy tax.

Item Result: Approved

Marietta Fambro, Finance Director, stated the report prepared by Accounting and Consulting Group was discussed at the Lodgers Tax Advisory Board Meeting on June 25th, proceeding with a vote to approve the report. She stated the accounting firm accounted for twenty (20) out of thirty-two (32) lodgers establishments on record and explained the findings along with the Town's response to the Mayor and Council.

Councilmember Peralta stated the report did not provide an explanation of non-compliance which would assist the Town in establishing policies and procedures. Ms. Fambro stated she would acquire this information from the auditors.

Mayor Cordova stated the Town needs to establish a solid mechanism to perform annual audits of lodger's establishments. He further stated he believes there are establishments who comply while a few do not comply. Therefore, the Town needs to establish a solid mechanism to perform annual audits.

Ms. Fambro agreed and stated she has worked with the Legal Department on how to address this issue and is currently doing research to develop a procedure.

Mayor Cordova proposed conducting random audits. He directed Abigail Adame, Assistant Town Manager, to meet with Oscar Rodriguez, Town Manager, to evaluate whether an additional staff person is needed in the Finance Department; one who would work part-time on lodgers' tax to ensure tax payments are collected accordingly, while performing other duties within the Finance Department.

Ms. Adame stated she would contact the City of Santa Fe to review their procedures to determine whether an additional employee would be needed in the Finance Department.

Brian James, Town Attorney, recommended the Council and the Lodger's Tax Advisory Board provide direction if the community can tolerate stricter enforcement mechanisms.

A discussion ensued in regards to long-term rentals versus short-term rentals.

Councilmember Peralta stated the procedures were not included for approval. Ms. Fambro stated what was provided was a recommendation report and the Town's response. She further added once a policy has been approved by the Lodgers Tax Advisory Board, it will be presented to Council for review and approval in November or December.

Mr. James recommended the Council interact with the Lodgers Tax Advisory Board and provide policy direction before making any coherent recommendations.

Councilmember Peralta made a motion to approve w/ conditions. Councilmember Gonzales seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

D. Convention Center Repurposing

Request approval to stop accepting reservations for Rio Grande Hall and Bataan Hall as of January 1, 2014 in conjunction with repurposing those facilities.

Item Result: Approved

Ms. Adame explained a few months ago staff was directed to issue a Request For Proposals (RFP) for the repurposing of Rio Grande and Bataan Hall and the responses received were deemed non-responsive. She further explained, staff is in the process of re-issuing another RFP by July 22 for the same purpose and staff has recommended that a date be set to discontinue accepting reservations for these facilities.

Mayor Cordova asked for an explanation and the rational for this action.

Steve Kennebeck, Facilities Director, stated the last scheduled events are set for December and in his discussion with Town Manager, Oscar Rodriguez, it would be cost effective to close the facilities at the end of the year.

Mayor Cordova asked how the closure of these facilities would affect staff. Mr. Kennebeck explained that one employee has been transferred to another department, one employee will continue to work at Coronado Hall and the remaining two employees will be transferred to the Custodial and Landscaping Division. Mayor Cordova asked whether these transfers were made as a business decision. Mr. Kennebeck replied it was indeed a business decision.

Councilmember Peralta made a motion to approve. Councilmember Silva seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

E. Proposed Water Conservation Ordinance

Recommendations by the Town Manager regarding water conservation during drought conditions.

Ms. Adame stated the major change to the existing ordinance proposed by Mr. Rodriguez, is Council would have the authority to impose drought restrictions.

Mayor Cordova asked as a legal perspective how it relates to the wells and the Abeyta Settlement.

Mr. James stated the current ordinance requires well productions to drop at a level where it is not likely never to drop to; therefore, the current ordinance is ineffective. In addition, he and Mr. Rodriguez agreed before they can coherently advise the council; they need to determine how the Town is doing in comparison to other communities within the state. Therefore, he stated it would be unfair to impose additional water restrictions if it is determined the Town is doing very well. He further added, the Town is in the process of a water audit mandated by the Abeyta Settlement and water conservation provisions in the settlement are essentially goals and there is no mandate to get to specific levels.

A discussion ensued on how to encourage water conservation and the enforcement of water conservation.

Mayor Cordova directed Mr. James to draft a joint resolution with Taos County to encourage water conservation and create public awareness while the water conservation ordinance is being revised.

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9. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER

A. Airport Advisory Board Appointment

Appointment of Mark Fratrack to the Airport Advisory Board (AAB) to replace resigning member John Hillyard for the remainder of Mr. Hillyard's term in accordance with Town Code 2.12. Term will expire in October, 2013.

Item Result: Approved

Mayor Cordova stated he believes the Town will benefit from Mr. Frattrick's institutional and long-standing procedural knowledge of the Taos Regional Airport.

Councilmember Peralta made a motion to approve. Councilmember Gonzales seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

B. Busker Ordinance and Craft Fairs

Councilmember Silva stated plaza merchants have expressed concerns of the ongoing arts and crafts fairs and the busker ordinance. He further added merchants are claiming that some individuals loiter and panhandle in one area all day playing their instruments and he believes in accordance with Town ordinance, they can only stay in an area for a couple of hours at a time.

Mayor Cordova stated he and Councilmember Peralta recently attended a meeting with the plaza merchants to discuss their immediate concerns and what improvements were needed at the plaza. Merchants expressed concerns of panhandling and loitering at the plaza and the possibility of illegal activity taking place because of busker activities.

A PowerPoint presentation was presented on busker activities taking place at the Taos Plaza.

Mayor Cordova stated merchants are requesting that the Town repeal the busker ordinance. David Weaver, Interim-Chief of Police, stated the busker ordinance is difficult to enforce. He recommended passing a non-loitering ordinance.

A discussion ensued on how the busker ordinance is being misused and how it is not serving its intended purpose. Mayor Cordova directed staff to draft an ordinance repealing the existing busker ordinance.

Mayor Cordova stated during the same meeting with the merchants, they informed him they have obtained signatures from other merchants against craft fairs at the plaza. Mayor Cordova stated he believes the Town Council should not have to choose between those who are for or against the craft fairs at the plaza without data. He encouraged the merchants to provide data on how the craft fairs affect their business. He further added a committee will be created and headed by Facilities Director, Steve Kennebeck, along with a few merchants who will develop a questionnaire to be completed by the merchants; thus, Council may make an informed decision based on actual data received.

Mr. Kennebeck briefed the Mayor and Council on the status of the questionnaire, scheduled arts and craft fairs at the plaza, and the Downtown Master Plan contract.

A discussion ensued regarding fees that are charged to the arts and craft vendors and the collection of gross receipts tax.

1 Mayor Cordova directed Town staff to contact other cities to request their fee
2 schedule for arts and craft fair space. He concluded once all data is received and
3 evaluated the Council can make an informed decision on whether arts and craft
4 fairs are to be held only at Kit Carson Park.

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7 **C. Executive Session**

8 Councilmember Silva made a motion to go into Executive Session to
9 discuss limited personnel matters in regards to the employment
10 agreements for the Town Manager and Town Attorney- pursuant to NMSA
11 Section 10-15-1.H(2). Councilmember Gonzales seconded the motion. The
12 motion was Passed. Those voting AYE were: Councilmembers: Abeyta,
13 Gonzales, Peralta, Silva.

14
15 At 8:47 p.m., Councilmember Peralta made a motion to come out of
16 Executive Session and stated discussion in the Executive Session was
17 limited to the item as it was called for. Councilmember Silva seconded the
18 motion. The motion was Passed. Those voting AYE were:
19 Councilmembers: Abeyta, Gonzales, Peralta, Silva.

20
21 **D. Employment Agreements**

22 Consideration and possible approval of amendments to the Town
23 Manager's and Town Attorney's employment agreements.

24 Mayor Cordova stated that performance evaluations were completed for both
25 Town Manager and Town Attorney and will be submitted to the Human Resource
26 Director.

27
28 Mayor Cordova stated during the negotiations of the employment contract
29 between the Town and Mr. Rodriguez it was agreed the Town would compensate
30 Mr. Rodriguez the same amount of pay as the previous Town Manager; however,
31 it was overlooked that the PERA compensation was paid for the previous Town
32 Manager. He further explained, during negotiations Mr. Rodriguez requested
33 consideration be given on increasing his contract amount if, he received a
34 favorable performance evaluation the following year. Due to the state of
35 the budget, Mr. Rodriguez is not requesting an increase to his salary; however,
36 he is requesting the Town honor the agreement made during the negotiation of
37 his contract and has agreed not to request retro pay.

38 Loretta Trujillo, Human Resource Director, explained when Mr. Rodriguez was
39 hired the Town had passed an ordinance in which benefits were non-negotiable;
40 however, recently the personnel ordinance was adopted authorizing the
41 negotiations of benefits.

42 Councilmember Peralta stated he agrees it was an oversight on the Town's part
43 not to include the PERA compensation into the contract. He further stated he
44 believes it is not a negotiation item but rather equalization in contracts.

Councilmember Peralta recommended the Town honor the agreement with Mr. Rodriguez with an effective date of July 1, 2013.

Councilmember Peralta made a motion to amend the contract with Town Manager, Oscar Rodriguez to include the payment of PERA Contributions. Councilmember Gonzales seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Councilmembers Abeyta, Gonzales, Peralta, Silva.

Mayor Cordova directed Ms. Trujillo to follow-up with the Finance Director and Town Manager to ensure this is processed.

Mayor Cordova stated Brian James has saved the Town a substantial amount of money. He further added he believes this is the first time the Town has not had an assistant attorney on staff or outside contract attorneys. In addition since hiring Mr. James he has managed to resolve many issues with his no-nonsense approach and has done far more as one attorney, than with two attorneys and multiple contract attorneys. He further added Mr. Rodriguez has made the recommendation to increase Mr. James base salary by \$5,000 and the payment of his PERA contributions.

Councilmember Gonzales thanked Mr. James and stated he fully supports Mr. Rodriguez's recommendation.

Councilmember Gonzales made a motion to amend the contract with Town Attorney, C. Brian James to include the payment of PERA Contributions and increase his base salary in the amount \$5,000. Councilmember Peralta seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Councilmembers Abeyta, Gonzales, Peralta, Silva.

Councilmember Peralta thanked Mr. James for all his assistance to the Town of Taos.

Ms. Trujillo informed the Mayor and Council that state law does not allow retro pay on wages; therefore the effective date would be July 6, 2013. Ms. Trujillo was directed by Council to verify the effective date and process accordingly.

10. ADJOURNMENT

A motion was made by Councilmember Peralta and seconded by Councilmember Gonzales to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 8:57 p.m.

APPROVED:

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3 **Darren M. Cordova, Mayor**
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6 **ATTEST:**
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10 **Renee Lucero, Town Clerk**
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12 ***PLEASE NOTE: The Town of Taos records most Town Council Meetings via audio,***
13 ***however, only Regular Town Council Meetings and some Special Town Council***
14 ***Meetings, with controversial issues, are video recorded. Copies are available upon***
15 ***request at the Town Clerk's Office located at 400 Camino de la Placita (575-751-2005) at***
16 ***a fee of \$5.00 for audio and video recordings. Additionally, video recordings can be***
17 ***viewed at www.mediataos.org. You may also view agendas, agenda packets, and***
18 ***minutes at <http://public.taosgov.com/>.***
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August 13, 2013

Title:

July 11, 2013 Special Meeting Minutes

Summary:

Background:

Attachments:

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 [Minutes 7/11/2013](#)



**MINUTES
July 11, 2013
Special Meeting**

**Town Hall Executive Conference Room -400 Camino de la
Placita
1:30 PM**

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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 1:31 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
Councilmember, Rudy C. Abeyta
Councilmember, Frederick A. Peralta**

Also present were:

**Assistant Town Manager, Abigail Adame
Town Attorney C. Brian James
Clerk's Assistant, Francella Garcia**

Absent/Excused were:

**Councilmember Gonzales
Councilmember Silva
Town Manager, Oscar Rodriguez
Town Clerk, Renee Lucero**

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2 **3. PLEDGE OF ALLEGIANCE**

3 Councilmember Peralta led the audience in the Pledge of Allegiance.

4
5 **4. APPROVAL OF AGENDA**

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7 Councilmember Peralta made a motion to approve. Councilmember Abeyta
8 seconded the motion. The motion was Passed. Those voting AYE were:
9 Councilmembers: Abeyta, Peralta.

10 **5. PUBLIC HEARINGS**

11 **A. Toribio's Restaurant Liquor License**

12 Consideration and possible approval of new Restaurant Liquor
13 License for Jose Real dba Toribio's located at 1104 Paseo del Pueblo
14 Sur.

15 Item Result: Approved

16 Francella Garcia, Clerk's Assistant, presented the liquor license application to the
17 Mayor and Council and stated all publication requirements have been met in
18 accordance with the Alcohol and Gaming Division requirements. In addition she
19 stated the applicant has complied with the Planning and Zoning regulations.

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

21
22 After closing the public hearing, Mayor Cordova asked for questions from the
23 Council.
24

25
26 Councilmember Abeyta made a motion to approve. Councilmember Peralta
27 seconded the motion. The motion was Passed. Those voting AYE were:
28 Councilmembers: Abeyta, Peralta.

29 **6. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER**

30 **7. ADJOURNMENT**

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32 A motion was made by Councilmember Abeyta and seconded by
33 Councilmember Peralta to adjourn the meeting. The motion carried
34 unanimously and the meeting adjourned at 1:33
35 p.m.

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38 **APPROVED:**
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42 _____
43 **Darren M. Cordova, Mayor**
44



August 13, 2013

Title:

July 23, 2013 Regular Meeting Minutes

Summary:

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**MINUTES
July 23, 2013
Regular Meeting**

**Town Council Chambers - 120 Civic Plaza Drive
6:30 PM**

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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 Darren M. Cordova at 6:36 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, Andrew T. Gonzales
Councilmember, Rudy C. Abeyta
Councilmember, Michael A. Silva
Councilmember, Frederick A. Peralta
Youth Councilmember, Michael Landgraf

Also present were:

Town Manager, Oscar Rodriguez
Assistant Town Manager, Abigail Adame
Town Attorney, C. Brian James
Town Clerk, Renee Lucero

3. PLEDGE OF ALLEGIANCE

Youth Councilmember Landgraf led the audience in the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mr. Rodriguez requested that Item 7.C. (Amendment No. 2 to Contract TT-13-49

with Taos Sports Alliance) be deleted to allow him time to ensure that the Town is obtaining the best possible price for these services.

Councilmember Abeyta asked why this item is suddenly being removed. Mr. Rodriguez explained the only reason is for him to ensure the Town obtains the lowest price.

Councilmember Peralta made a motion to approve with conditions. Councilmember Silva seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

Councilmember Abeyta clarified he voted yes to approve the agenda; however, he does not support removing Item 7.C.

5. CITIZENS FORUM

The following individuals spoke during Citizens Forum:

- Brad Malone
- Stefany Sanders
- Stephens Hall

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6. CONSENT AGENDA

A. **New Mexico Municipal League Annual Conference Voting Delegate**
Designation and appointment of Mayor Darren Cordova as the Voting Delegate and Mayor Pro Tem Andrew Gonzales as the Alternate at the Annual Business Meeting which is held during the New Mexico Municipal League Annual Conference scheduled from August 27 -30, 2013 in Taos, New Mexico.

B. **New Kubota Tractor and Implement Purchase**
Consideration and possible approval to purchase a Kubota M108SHDC tractor and 10' rake attachment from Kubota Tractor Corporation in the amount of \$63,828.10 and a Landpride Hydraulic Auger attachment from Mesa Tractor, Inc. in the amount of \$5,425.75 through the Houston-Galveston Area Council (HGAC) Price Agreement for use at Taos Regional Airport. The funding breakdown for this purchase is as follows: New Mexico Department of Transportation Aviation Division \$62,328.46; Town of Taos \$6,925.39, for a total of \$69,253.85 exclusive of Gross Receipts Tax.

Item Result: Approved

Councilmember Peralta made a motion to approve. Councilmember Abeyta seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

7. MATTERS FROM STAFF

A. **Update by Holy Cross Hospital**

Peter Hofstetter, Holy Cross Hospital Chief Executive Officer, provided a PowerPoint Presentation and update on Holy Cross Hospital.

Peter Hofstetter, Holy Cross Hospital Chief Executive Officer, gave a presentation regarding the federal cuts and expense reductions from 2010 through 2013. He stated for the past three years Holy Cross Hospital has been reimbursed over \$15 million less than what was received three years ago.

According to Mr. Hofstetter, while the hospital's finances have been a struggle, there are incredible things happening at the hospital. For instance, he stated the hospital has been ranked as one of the top 25 hospitals in the country for ACL knee surgeries, the infection rate is well below the national average, the hospital has been recognized for outstanding patient safety, the hospital is at the top 27% in the country for Electronic Health Records System, and it has a very successful nurse scholarship program with UNM Taos.

B. Renewal of Contract TT-13-49 with Taos Sports Alliance

Consideration and possible approval of the renewal of Contract TT-13-49 in the amount of \$85,000 inclusive of gross receipts tax with Taos Sport Alliance for the management, programming, and field maintenance of the Taos Eco Park.

Item Result: Tabled

Mr. Rodriguez stated this is the third year of the contract and will be the last year the Town will fund this program. He stated he has requested that Taos Sports Alliance prepare a business plan.

Councilmember Silva requested an explanation of the Add Alternates listed in the contract. Mr. Rodriguez stated there are no Add Alternates. Discussion ensued regarding the Add Alternates and whether they were incorrectly placed in the contract.

Due to discrepancies within the contract relating to Add Alternates, the item was tabled to allow the Town Manager to address the discrepancies and work with the contractors to come to an agreement.

Councilmember Abeyta made a motion to table. Councilmember Gonzales seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

C. Resolution 13-36 Budget Adjustment Request - Final

Consideration and possible approval of Resolution 13-36; Budget Adjustment Request for Fiscal Year End June 30, 2013. This budget adjustment request balances all line items and funds to end of year final expenditure amounts.

Item Result: Approved

Marietta Fambro, Finance Director, provided a summary of the budget adjustments.

Councilmember Silva made a motion to approve. Councilmember Abeyta seconded the motion. The motion was Passed. Those voting AYE were:

Councilmembers: Abeyta, Gonzales, Peralta, Silva.

D. Financial Update

Presentation of the monthly financial report for the period ending June 30, 2013.

As part of the Town's Financial Update, Ms. Fambro reported that during the month of June, the Town received 3.32% more in revenues than this time last year, ending the fiscal year on a positive note and with the last quarter of the year as a net increase. She stated Town staff had projected a shortfall of approximately \$374,000, but ended up with a \$33,000 shortfall.

Furthermore, Ms. Fambro stated based on the final ending balance of \$1,761,601, the Town will exceed the State's requirement of 30 days of budgeted expenditures by approximately 18 days of reserve for next fiscal year's budget.

Councilmember Peralta asked whether there is any way to obtain a report from Taos County indicating delinquent property tax payments. Ms. Fambro stated she will ask the County Assessor whether this information can be provided.

Councilmember Gonzales asked whether the online auction is frequently used. Mr. Rodriguez stated, unfortunately, the Town is not utilizing the site effectively. However, he explained, staff will be working diligently on selling surplus items online.

E. Resolution 13-37 DFA Financial Fourth Quarter Report

Consideration and approval of Resolution 13-37 approving the Department of Finance and Administration fourth quarter report year ending June 30, 2013.

Item Result: Approved

Councilmember Peralta made a motion to approve. Councilmember Silva seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

F. Update Regarding Central Communications

Update regarding the relocation of Central Communications to the new Emergency Central Communications Center located at 1146 Gusdorf Road.

Ms. Adame emphasized that a lot of progress has been made on this project. She stated all 911 call taking equipment has been delivered to the center and have been accounted for. Unfortunately, she explained, two developments that fell outside the control of the Taos project team have made it necessary to re-forecast the date for operations to begin at the Emergency Communications Center. Consequently, the Town is forecasting operations to be fully functional at the Emergency Communications Center by September 18, 2013.

Mayor Cordova stated he has talked to State officials about the possibility of the County creating another dispatch center and he was assured that the Town should not lose funding because of this separation. He emphasized the Town has

invested a lot of money and time into this project and Governor Susana Martinez does not want to see the Town and County go separate ways.

8. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER

A. Mayor's Meeting with Governor

Mayor Cordova stated he met with New Mexico State Governor, Susana Martinez, and her Chief of Staff, Keith Gardner, on Wednesday, July 17, 2013 to discuss the following issues of concern to the Town of Taos:

- Este Es Road signalized intersection;
- Siler Road Intersection – purchase of the old Scheid building and realignment of road;
- Paseo del Pueblo Resurfacing from Cantu Hill to Whitten Inn and hopefully through Town limits;
- Community Development Block Grant Agreement which has been awarded; however, an agreement has not yet been received, affecting the Town's timeline;
- Medicaid issue which is affecting many programs in Taos; and
- Arts and Cultural District Main Street Program.

Mayor Cordova further stated he was very pleased with the outcome of the meeting and is confident the Governor's Office is committed to assisting the Town of Taos with each of these issues.

B. Update on Arts & Cultural District

The Town Manager informed the Council that the State has approved the Town's proposal to merge the Arts & Cultural District Board with the Mainstreet organization which will focus on the Arts & Cultural District, business retention, marketing of the downtown historic district and administration of the program. He further stated the organization would be a quasi-governmental organization and would be appointed by both the Town and the County which would allow the organization to seek grant funding to be administered by one of the governmental agencies.

C. Taos Fiestas

The Mayor and Council stated the Fiestas de Taos was an extremely successful event and thanked everyone involved, especially the Fiesta Council. They also discussed the booths in front of the Old County Courthouse which were purchased by the Town in order to provide more space for people to walk and a more pleasurable experience. Councilmember Abeyta stated in the future the Council would like to have tables and chairs placed in that area.

Councilmember Silva requested that the Fiesta Council monitor all Fiesta booths to ensure that they are appropriate for children. Councilmember Gonzales stated he fully supports removing booths that sell inappropriate items.

D. Traffic Control

Councilmember Gonzales discussed preparations for the upcoming school year and requested more traffic control after Taos High School sporting events at the intersection of Cervantes and Paseo del Pueblo Sur.

9. ADJOURNMENT

A motion was made by Councilmember Gonzales and seconded by Councilmember Peralta to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 8:33 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 and video recordings. Additionally, video recordings can be viewed at www.mediataos.org. You may also view agendas, agenda packets, and minutes at <http://public.taosgov.com/>.



August 13, 2013

Title:

August 2, 2013 Special Meeting Minutes

Summary:

Background:

Attachments:

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 [Minutes 8-2-2013](#)



**MINUTES
August 2, 2013
Special Meeting**

**Town Hall Executive Conference Room - 400 Camino de la
Placita
9:00 AM**

Page 25

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 9:04 a.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, Andrew T. Gonzales
Councilmember, Rudy C. Abeyta
Councilmember, Michael A. Silva (arrived at 9:11 a.m.)
Councilmember, Frederick A. Peralta

Also present were:

Town Manager, Oscar Rodriguez
Assistant Town Manager, Abigail Adame
Clerk's Assistant, Francella Garcia

Absent/Excused were:

Town Attorney, Brian James
Town Clerk, Renee Lucero

3. PLEDGE OF ALLEGIANCE

Councilmember Gonzales led the audience in the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Councilmember Peralta made a motion to approve. Councilmember Abeyta seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta. Those ABSENT were: Councilmembers: Silva.

5. MATTERS FROM STAFF

A. 2013 Community Development Block Grant Agreement

Consideration and possible approval to accept the 2013 Community Development Block Grant from the State of New Mexico Department of Finance and Administration Local Government Division and authorization for the Mayor to enter into the grant agreement. The grant is in the amount of \$500,000 and will be utilized for Chamisa Infrastructure Improvements Phase 3 - Este Es Road and Salazar Road area including construction of the roadway.

Town Manager, Oscar Rodriguez, informed the Mayor and Council he had anticipated receiving the 2013 Community Development Block agreement (CDBG) to present for Council approval; however, he was notified prior to this meeting the grant agreement would not be available until Monday, August 5th. He further stated, due to time restraints and the urgency in getting the agreement executed he is requesting that Council approve the acceptance of CDBG Grant Agreement No. 13-C-NR-I-01-G-011, even though it has not been received.

Grant Administrator, Miranda Quintana, stated the Town of Taos was awarded one of the highest grant amounts. She explained the project timeline as detailed below:

August 5	Receive Grant agreement from State
August 6	Grant agreement returned to State
August 19	Receive executed grant agreement from State
August 16	Plans and specs to NMDOT for Review (allow 30 days for review)
August 16	Bid documents to CDBG for review during environmental
August 22	Advertise environmental and FONSI (15 days by Town)
September 9	Advertise environmental (15 days by State)
September 16	NMDOT approval of Plans and Specs
September 16	CDBG approval of Plans and Specs
September 24	Release of Funds (cannot get release of funds until Environmental Review period is complete)
September 26	Construction Bid Advertisement
October 17	Bid opening

October 21	Bid Award at Council Meeting (Special Meeting)
October 22	DFA Contractor Clearance
October 23	Pre-Construction Conference
November 4	Begin construction
December 19	Construction completion (45 days)
January 7	Closeout Public Hearing
January 17	Administrative Closeout of Project with Department of Finance Administration

Mayor Cordova expressed his concern that the project would not be completed prior to cold weather setting in and does not want to jeopardize the quality of the project.

A discussion ensued regarding the timeline to complete the project and meeting CDBG deadlines so that the Town may apply for future funding.

Ms. Quintana informed the Mayor and Council that all contractors including subcontractors, engineers and architects are required to be registered in the US Government's System for Award Management (SAM) when paid in whole or in part by federal funds. She further stated in order to be registered the entity must have a Data Universal Numbering System (DUNS) number which is an additional process. Ms. Quintana expressed her concern that she was unsure how long it would take to complete the registration process in its entirety. Mayor Cordova directed Ms. Quintana to send a public notice to the community informing them of this new requirement.

Councilmember Peralta made a motion to authorize Mayor Cordova to execute the 2013 Community Development Block Grant agreement from the State of New Mexico Department of Finance and Administration Local Government Division upon receiving. Councilmember Gonzales seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

B. Special Dispenser Permit Application - Sagebrush Inn

Consideration and possible approval of a Special Dispenser Permit Application for Sagebrush Inn to serve alcohol at the New Mexico Municipal League Annual Conference Welcome Reception at Kit Carson Park on August 28, 2013 from 4 p.m. to 8:30 p.m. This item requires Council action since the number of expected attendees exceeds 500.

Item Result: Approved

Councilmember Gonzales made a motion to approve. Councilmember Silva seconded the motion. The motion was Passed. Those voting AYE were: Councilmembers: Abeyta, Gonzales, Peralta, Silva.

6. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER

Matt Foster requested Councils consideration to include walking trails and bicycle

trails on future CDBG projects.

7. ADJOURNMENT

A motion was made by Councilmember Gonzales and seconded by Councilmember Peralta to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 9:31 a.m.

APPROVED:

Darren M. Cordova, Mayor

ATTEST:

Renee Lucero, Town Clerk

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August 13, 2013

Title:

Recognition of newly appointed Planning Director

Summary:

Recognition and welcome of Martha Perkins who was recently appointed as the Town's Planning Director.

Background:

Ms. Perkins comes to the Town after serving as an economist for the New Mexico Public Regulatory Commission. Prior to that, she served as an assistant planning director for the Los Alamos County Planning Department overseeing This is a Department Head position subject to the terms and conditions outlined in Chapter 3.64 of Town of Taos Personnel Ordinance 13-09, which states that it is an at will-appointment subject to removal by the Town Manager and majority vote of the Town Council.

Attachments:

[Click to download](#)

No Attachments Available



August 13, 2013

Title:

Presentation of Proclamation for Back to School Safety

Summary:

Mayor Cordova will present a proclamation for Back to School day encouraging safety when children are present.

Background:

Attachments:

[Click to download](#)

No Attachments Available



August 13, 2013

Title:

Back to School Plan

Summary:

Town staff will present its plan for helping ensure a safe return to school by students in Taos.

Background:

The plan includes preparations the Town of Taos departments will take to help the Taos School District prepare for the start of the new school year.

Attachments:

Click to download

📎 [Back to School Plan](#)

TOWN OF TAOS BACK TO SCHOOL PLAN

Public Works Department

- Stripe all roads and crosswalks in and around the school areas and verify that all crosswalks are highly visible and that the correct signage is in place;
- Address pedestrian facilities that are in need of repair or replacement;
- Clear the rights of way of all debris and vegetation for better visibility.

Taos Police Department

- The Taos Police Department will be assigning 4 officers to the morning and afternoon of the first day of class; one officer each for the High School, Middle School, Elementary School, and one for Paseo Del Canon to cover the private schools on that road;
- In addition, Officer Sanchez will be broadcasting Public Service Announcements prior to the first day, to inform people of the heightened presence of law enforcement in those areas.

Fire Department

- In conjunction with the New Mexico State Fire Marshal's office, the Fire Department will provide Fire Inspections during the first month that school is in session;
- Fire Drills will be provided throughout the year as required by the State of New Mexico;
- Fire Prevention Classes will be provided year around to approximately 1,400 students.

Facilities Services Department

- Landscaping Project at Enos Garcia Elementary School.

Taos Public Library

- Collaborate with Public Works to assess the need for signage and

crosswalks at the school bus stop area near the Library.

- Coordinate the Annual Touch a Truck at the Youth and Family Center; pencils will be added to the goody bags that are handed out to children to promote safety and reading.
- Safety handout at the Children's Library will promote safety.
- Children's Library window display will be Back to School Safety.

Youth & Family Center Department

- Create and post 11" by 17" checklist posters to make parents and students aware before school begins. To be displayed at the YFC boards and Swimming Pool;
- Provide handout sized safety checklists at the main office and pool desk for students;
- Send awareness flyers/checklists to each student utilizing classroom lists received from the Taos Municipal Schools.

Legal Department

- The Town Attorney will maintain a zero tolerance approach to Municipal Court prosecutions emanating from school zones, i.e. plead guilty or go to trial; no plea offers.

IT Department

- Add pamphlets from National Safety Council to the Town's website on Back to School Safety for motorists, students and families.

Executive Office

- Mayor, Council and Management will visit schools on the first day of school to promote safety awareness.



August 13, 2013

Title:

Affordable Housing for Artists

Summary:

Presentation and update from the Housing Trust regarding location options for affordable housing for artists project.

Background:

The Town of Taos is working with the Housing Trust of Santa Fe as the developer for an affordable artist housing project. This engagement is being funded in part through a \$50,000 grant from the National Endowment for Arts matched in the same amount by the Town. Housing Trust has reviewed a list of viable sites that may be competitive for tax credit financing from the New Mexico Municipal Finance Association's. Housing Trust will present the sites that were considered and recommend the ones it considers to be the most competitive for the next round of competition for the state's allocation of tax credits.

Attachments:

Click to download

📎 [Summary](#)

REPORT TO TOWN COUNCIL ON SITE REVIEW FOR MULTIFAMILY AFFORDABLE HOUSING DEVELOPMENT

Executive Summary

This report is intended to provide a status report in fulfillment of Contract No. TT-13-203 for acceptance of site selection for development of an affordable multifamily housing complex subsequent to scheduling a public design charrette. The team selected is highly qualified to provide advice on the subject of affordable housing development. Each member contributed thoughtful insight and skilled analysis. Summary data are provided in this report with detailed mapping and site analysis data on file with the Town Manager.

Your consulting team recommends that the town select Site #11 located near Albertsons. Your approval will enable team to move forward with a public design charrette led by the architect for input on the conceptual layout and design of the proposed development. If approved, the charrette will be advertised for Saturday, September 7, 2013. Flyers will be distributed to the Town Council and City staff if appropriate.

Introduction

On January 17, 2013, the Town of Taos issued RFP 12-13-20 entitled “Multi Family Affordable Housing Development.” The purpose was to complete the first phase of pre-development activities preceding formal application for Low Income Housing Tax Credits (LIHTC) for an affordable, multi-family development project to provide rental housing for low and moderate income residents. Pre-development will include, but not be limited to, the site selection, site plan, preliminary architecture, public outreach, cost estimates, and financial planning. The planned development is a part of the Town’s larger effort to support the local economy while providing well-built, secure affordable housing to local residents. Following the RFP issuance, a team led by The Housing Trust of Santa Fe was selected to carry out the work. Members of the contractor team include: 1) Developer: The Housing Trust, a New Mexico nonprofit corporation, 2) Atkins Olshin Schade Architects, 3) Crossroads Realty & Management, 4) Sabino Community Development Resources (LIHTC Market Analyst), and 5) Dempsey & Associates (Cost Estimating) along with engineering and structural professionals.

On April 30, 2013 Contract No. TT-13-203 was executed by the contractor for approval by the Town Council. The contract details the tasks to be completed in satisfaction of this objective. Town Manager Oscar Rodriguez met with the contractor and provided reports, studies and other data and toured known sites on April 30, 2013 with staff of The Housing Trust and the architectural firm in conjunction with Task 1. The Contractor has submitted this report in satisfaction of Task 2, as follows:

Task 2 – Site Assessment

Contractor will evaluate the general costs and benefits of alternative sites. Contractor will recommend the preferred site or sites and the general cost and benefits as well as a summary of the positive and negative attributes of each alternative site to the Town Council for consideration and approval. Contractor will present the report and recommendations to the Town Council during a Town Council meeting. Contractor will request approval of the preferred site or sites during the Town Council meeting.

In preparation for site selection, visits were made to the fifteen sites listed on the matrix at the end of this narrative by an architectural team, developer representatives, real estate professional, and the market analyst on multiple occasions.

The real estate professional reviewed the complete inventory of sites referenced in prior reports, the additional sites identified by Town staff and The Housing Trust and compiled a list of sites available for sale in the real estate market. He provided data such as zoning, pricing, maps and plats, site characteristics, and distance to public services and facilities.

The architects and the developer assessed site conditions, excluding conditions that require detailed technical or professional knowledge such as environmental or geotechnical matters, and observed first hand the adjacent and nearby land uses that set the context for the potential use of each site. The reviewers further evaluated barriers to use or marketability of each site, such as poor transportation access or obvious environmental issues such as flood hazards, slope or terrain irregularities, necessity for structural demolition or for in depth environmental testing of existing structure that would preclude application for LIHTC within the specified time parameters.

The architects identified, mapped, and measured the proximity of each identified site to specified community services, amenities, and facilities, such as schools, shopping, and health care. The team also compiled a photographic and aerial mapping record of each site and its surroundings to establish the appropriateness of the development in the overall neighborhood fabric. Zoning and building restrictions relative to each site were assessed by the architects.

The market analyst identified, mapped, and surveyed comparable affordable and market-rate rental projects for rent, occupancy, and amenities. The market analysis evaluates marketability of each identified potential site in comparison to similar rental projects.

Each party then evaluated and ranked the sites with regard to meeting the desired standards. The results were unanimous for the top ranked site and consistent for the remainder with minor variations. The Housing Trust and the architect will be present at the Town Council meeting to respond to questions on the material.

Analysis

The project team has reviewed more than twenty sites in conjunction with this task. Each of the possible sites referenced in the previous studies and sources provided by the Town were examined by The Housing Trust, the Architect, the Real Estate Consultant and fifteen deemed suitable for the proposed use were evaluated by the Market Analyst. The team generated a preliminary proforma project cost analysis and market data were prepared to inform the recommendations regarding the site selection. The market analyst, a specialist in LIHTC development, took the summary site data, further refined it and conducted a market analysis. The market analysis projected an acceptable absorption rate and demand level for up to 60 units. The demographics of the target renter population suggest a mixture of 26 efficiencies or one bedroom units, 26 two bedroom units 8 three bedroom units. The market assumptions are such that would need to attract about 14.5% of all fully qualified households that don't already live in tax credit units in Taos County and 21% from the 30-minute drive time zone.

The Housing Trust has submitted summary recommendations and data regarding the 15 sites reviewed for suitability for project development. Each of the town-owned sites was fully reviewed. Several were exempted from further consideration because the time frame to accomplish a reuse type of development was beyond the scope of the proposed project or the property failed to meet important threshold criteria. Our group has identified the following priorities in the site selection:

1. Location - Property is well located in relation to community facilities, shopping, transit, services, and jobs centers and connected to existing activity centers.
2. Land Use Criteria - Property has compatible land use designations and zoning with preference for infill to minimize environmental impacts and meets accessibility standards.
3. Site characteristics - The parcel needs to have sufficient acreage (preferably 4 to 5 acres in size) to accommodate a 50 to 60 unit development in a non-elevator, two-story maximum, multi-building layout. Public services are readily available, including a paved, publicly maintained road to the site perimeter. The site should possess suitable terrain for establishing a functional layout of buildings.
4. Cost to acquire and develop a project - The preferred property should be currently available at a suitable price or likely valuation indicative of the proposed development. A very high valuation was avoided in consideration of proper stewardship of the Town's resources and economic principals while very low valuations generally indicate agricultural or transitional use areas with very large, undivided land parcels.

The reason for prioritizing parcel size as mentioned in 3 above is to assure that the finished project is scaled to enable provision of onsite management and to afford the inclusion of improved common space amenable to an artist oriented tenancy and to achieve competitive goals for the LIHTC scoring factors. This is an important demographic in a small town that hosts multiple museums and 80 galleries along with the number of organizations that support the work of artists.

Following is a summary of the top six site rankings and characteristics. The proximity map is located on page 12. The rich cultural landscape and town history could not be ignored. Certain sites were highly prized because of their intrinsic relationship to art history and tradition in Taos but such intrinsic cultural value alone could not override all practical considerations.

RANK	SITE #	NEIGHBORHOOD	ZONING	ACREAGE	ASKING PRICE	FLOOD PLAIN	LEED POINTS	OTHER ATTRACTIONS
1	11	La Posta/Albertsons	R14	4 to 5	\$529,000	N	8	Walkable to Albertsons and nearby retail and employment, school, neighborhood
2	6	SR 585/Gusdorf	C1	5 to 10	\$1.75M	N	7	School, office and some retail
3	4	North/Paseo del Pueblo Norte	R2/R4	11+	Not On Market	N	10	Taos Pueblo/Plaza, historic affinities
4	2	Chamisa Verde	R14	11+	Town	N	5	Taos Youth+Family Center, public services
5	14	Near County Courthouse	C2	5 to 10	\$2.5M	N	8	Courthouse
6	3	CBD	C2	1 to 2	Town	N	9	Walkable to Taos Plaza, parks, museums, retail and job centers, galleries, CBD

Conclusions

The scenic and multifaceted character of the Town of Taos has the greatest concentrations of people and commerce in the central business district (CBD) and along its highway corridors. Ready availability of public water and sewerage services necessary to higher density development are also in those areas. The team assessed the sites from a smart planning perspective, the spirit of which is embodied in LEED assessment and similar greenbuilding guidelines. The sustainable development goals pertinent to location can be summarized as preferring infill parcels that meet basic connectivity and requirements for contiguous development and avoidance of environmental sensitivities, prime agriculture or leapfrogging. The guidelines assure that residents of the multifamily project may access jobs and essential services without having to drive. While the sustainability features are valuable to the future tenants, the criteria also make the finished residential development more economical for provision of municipal services and more amenable to the surrounding neighborhoods. A high performing project sustainability assessment (such as LEED Silver) is necessary to the successful LIHTC project as well. Site #11 best meets our criteria for a successful LIHTC project application.

More detailed information is available for each site on the following pages.

#1 Ranked - Site 11 was the top ranked location for a variety of factors. The site is already zoned properly for multifamily residential usage. An apartment development on Site 11 would be an appropriate transition usage for this infill site which is located among a mixture of surrounding land usage including commercial, institutional, and single-family residential. It is the appropriate size to maximize benefits to the community and the tenants under the LIHTC scoring criteria. It has excellent access from multiple locations. While the parcel is somewhat irregular in shape, it presents no design hardships. The property is available for sale and is priced appropriately for the proposed land use. There are no floodplains or discernible environmental issues. This site would likely achieve a high level of LEED sustainability scoring for location.

Taos Site Evaluations

Site #	11
Site Name	La Posta/Albertsons
Zoning:	R14
Size (acres):	5
Asking price:	\$529,000
Asking price/acre:	\$112,553
LEED Points	8



Distance to:

Taos Plaza	1.1
Enos Garcia Elementary	1.2
Taos Middle School	1.5
Taos High School	0.4
Closest supermarket	0.2
Holy Cross Hospital	2.4



Threshold issues

Need to confirm gas line locations

Pros

Good location near Albertsons and highway
 Surrounding development is context-appropriate
 LEED points at high end of range
 Property size and R14 zoning are appropriate

Cons

Site grade requires thoughtful design

#2 Ranked – Site 6 was next, with high visibility factors important to market absorption rates and occupancy, but somewhat lower connectivity to the central business district and lower walkability to most points of interest. This site is close to schools but requires traversing greater distances and moderate slope to reach shopping and services. Size and pricing were not as favorable because the highest and best use for valuation would be office or retail development, as suggested by the zoning. Regularity in shape, adjacency to public roads with sewer and water connections, and pedestrian access to schools would assure a passing LEED locational score. The size of the parcel presents some economic and timing obstacles as there would be a need to subdivide.

Taos Site Evaluations

Site #	6
Site Name	SR 585/Gusdorf
Zoning:	C1
Size (acres):	9
Asking price:	\$1,750,000
Asking price/acre:	\$205,882
LEED Points	7



Distance to:

Taos Plaza	2.2
Enos Garcia Elementary	2.3
Taos Middle School	0.1
Taos High School	1.3
Closest supermarket	1.1
Holy Cross Hospital	1.1



Threshold issues

None

Pros

Very close to Taos Middle School

Good LEED scoring

Context of surrounding development appropriate for affordable housing

Cons

Site slope

Site would need to be subdivided

Site cost high

Location requires vehicle ownership

#3 Ranked – Site 4 is a larger parcel that has been disturbed by previous usage. Its intrinsic beauty and historical affinities are both assets and liabilities to its acquisition and redevelopment. The size of the parcel, presence of existing residential and nonresidential structures suggest long term planning and fundraising to deploy its potential to the community's greatest advantage. This site most certainly falls into the category of a valuation excessive to the proposed residential usage Nevertheless it would score highest of all sites with regard to locational factors and connectivity features. While the reuse would score high on sustainability indices, it would entail a slower development and technical review process and could entail special structural environmental health issues such as lead-based paint, mold, radon, and asbestos that require additional technical studies, special handling and construction treatments, and long term maintenance cost increases. Most significant to this report --the site is not offered for sale and is in private ownership.

Taos Site Evaluations

Site #	4
	CBD / Paseo de Pueblo
Site Name	Norte
Zoning:	R2, R4
Size (acres):	20
Asking price:	Not on Market
Asking price/acre:	
LEED Points	10

Distance to:

Taos Plaza	0.7
Enos Garcia	
Elementary	0.9
Taos Middle School	3.0
Taos High School	1.9
Closest supermarket	0.4
Holy Cross Hospital	3.9

Threshold issues

Large property would have to sub-divided



Pros

Central location, reducing need for vehicle ownership

Beautiful site

Maximum allowable LEED points

Cons

Likely to be difficult to acquire

Existing buildings need to be converted

Difficult to develop because of site layout and mature trees

Site too large for potential development - would need to be sub-divided

#4 Ranked – Site 2 is a Town-owned parcel in the Chamisa Verde area. The site is near the Taos Youth and Family center which offers services and recreational opportunities for families. The existing zoning is perfectly suited to the proposed densities. Size presents only minor obstacles to timing since the site is owned by the Town and there is a presumption that subdivision to create a 4 to 5 acres could be handled administratively. Negative features are the locational connectivity, disqualification for infill points, and adjacent low density/intensity of development levels would not rank as well as previous sites for LEED scoring. There is some concern about higher costs for installing necessary infrastructure and public roads are adjacent to only one side of the site. While some of the LEED lost ground could be made up in the structural and project development features, an LIHTC point would be lost due to the distance to central business district.

Taos Site Evaluations

Site #	2
Site Name	Chamisa Verde
Zoning:	R14
Size (acres):	16
Asking price:	Owned by Town
Asking price/acre:	
LEED Points	5



Distance to:

Taos Plaza	2.6
Enos Garcia	
Elementary	2.7
Taos Middle School	0.9
Taos High School	1.7
Closest supermarket	1.4
Holy Cross Hospital	1.4



Threshold issues

Infrastructure may not be available near site

Pros

Surrounding area is developed
R14 zoning allows density
Believed to be inexpensive
Town of Taos property

Cons

Vehicle required because of distance from center of Town
Property needs to be subdivided
Possibility that infrastructure is not available

#5 Ranked – Site 14 on the attached map is in a very good central location. While it is an attractive, though somewhat irregularly shaped site, it is privately owned and offered at the highest cost per acre of all the sites reviewed that were offered for sale on the open market. It has high connectivity to desirable pedestrian destinations. The acreage is about 50% larger than needed for the proposed use. The parcel size could pose difficulty in achieving a successful land division. The remainder parcel might not be large enough for highest and best use potential to sell at the same or greater value than the original cost.

Taos Site Evaluations

Site #	14
Site Name	Near County Courthouse
Zoning:	C2
Size (acres):	9
Asking price:	\$2,500,000
Asking price/acre:	\$294,118
LEED Points	8

Distance to:

Taos Plaza	1.1
Enos Garcia Elementary	1.2
Taos Middle School	1.9
Taos High School	0.8
Closest supermarket	0.6
Holy Cross Hospital	2.8

Threshold issues

No infrastructure to site

Pros

Good location with access to highway, retail, schools
LEED points at high end of range

Cons

Cost per acre is high
High cost for bringing infrastructure to site
No surrounding development with appropriate context
Large site that would need to be subdivided



#6 Ranked – Site 3. This Town-owned property is ideally situated with regard to amenities and connectivity features that score very well under the LEED system. It is near a park and government offices, galleries, museums and community centers. It may allow height in excess of 27'. However, it is most likely too small to accommodate a 50 to 60 unit complex in a two story configuration. Exceeding two stories would necessitate elevator access and steel-reinforced framing which would add costs. Proforma cost projections, difficulty of managing a small property and underachieving affordable unit production downgraded the ranking of this site. The team observed that a small development of 12 to 20 units could work but would lack sufficient scale to afford on-site common space amenities. We were unsuccessful in locating a larger site within ¼ mile which could be combined with this one to apply for LIHTC as a single project.

Taos Site Evaluations

Site #	3
Site Name	Central Business District / Plaza
Zoning:	C2
Size (acres):	1
Asking price:	Owned by Town
Asking price/acre:	
LEED Points	9

Distance to:

Taos Plaza	0.3
Enos Garcia Elementary	0.6
Taos Middle School	2.6
Taos High School	1.5
Closest supermarket	0.5
Holy Cross Hospital	3.5

Threshold issues

Property is very small, requiring Town to consider a 3- or 4-

Pros

Central location, reducing need for vehicle ownership
 Close to community center and park, both excellent amenities
 Surrounding development is appropriate for higher density
 Town has previously approved 40' height limit (needs to be confirmed)

Cons

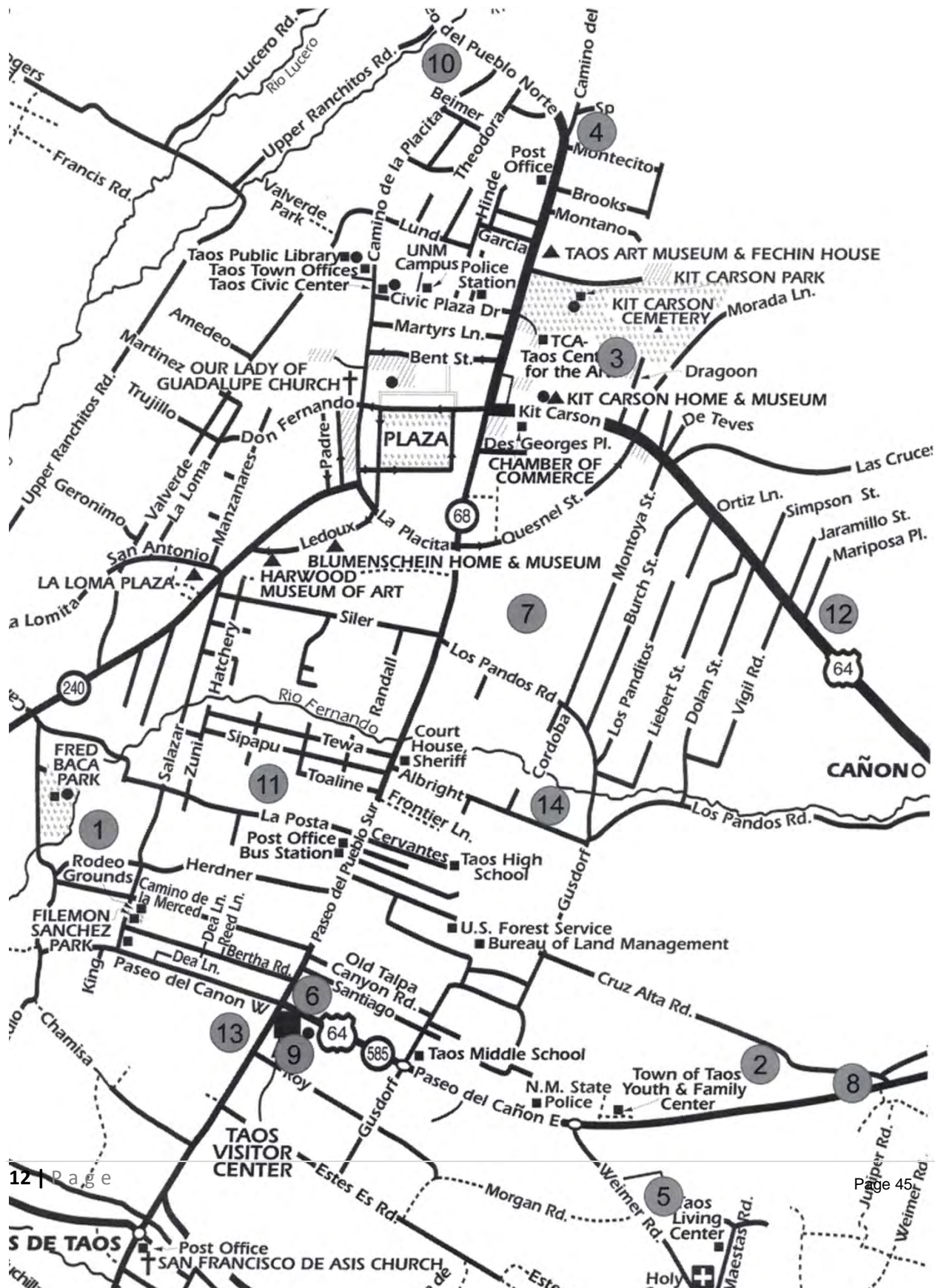
Site is too small for a property large enough to meet economy-of-scale requirements; may need to be combined with nearby site to meet MFA proximity requirements
 Possibility that infrastructure is not available



SITE MATRIX

RANK	SITE #	NEIGHBORHOOD	ZONING	ACREAGE	ASKING PRICE	FLOOD PLAIN	EST. LEED POINTS	PROS	CONS
1	11	La Posta/Albertsons	R14	4 to 5	\$529,000	N	8	Good location, (1.1 mi from Plaza) High LEED points, most developable, ability for multiple street fronts and internal core	Minor grade issues to consider
2	6	SR 585/Gusdorf	C1	5 to 10	\$1.75M	N	7	Good location (shopping and school), Good LEED points	Property is larger than needed; would need to sub-divide
3	4	North/Paseo del Pueblo Norte	R2/R4	11+	Not On Market	N	10	Beautiful site, ideal location (less than 1/2 mi to Plaza), history of arts on property	Not currently on market, but may have future potential
4	14	Near County Courthouse	C2	5 to 10	\$2.5M	N	8	Good location, High LEED points, very developable	High cost probably prohibits development for this project
5	2	Chamisa Verde	R14	11+	Town	N	5	Already owned by Town	Remote from downtown, Costly to develop
6	3	CBD	C2	1 to 2	Town	N	9	Excellent location, High LEED points, owned by Town	Too small for efficient scale of development (will not support # of proposed units)
na	1	Baca Park	R2	11+	Town	Y	5	Already owned by Town	Costly to develop
na	5	Hospital	R14	5 to 10	Not On Market	Y	2	Close to hospital	Remote from downtown, low LEED points
na	7	CBD	R14/ARO	11+	Not On Market	Y	6	Excellent location, High LEED points	Flood plain, difficult to develop
na	8	SR 585/Taos Youth + Family Center	HCPD/T4	5 to 10	--	N	4	Low price	Remote from downtown, low LEED points
na	9	Paseo del Pueblo/SR 585	C1	3 to 4	\$1.2M	N	9	Good location, High LEED points	High price, slightly too small for scale
na	10	Paseo del Pueblo Norte/Cids	R14	11+	\$2.5M	N	6	Decent location	Need to subdivide and costly to develop
na	12	Kit Carson Road	R4	11+	\$1.5M	?	2	Beautiful location, low cost per acre	Remote from downtown, low LEED points
na	13	SR 585/Paseo del Pueblo Sur	C1	11+	--	N	7	Decent location, good LEED points	Remote from utilities, high cost to develop
na	15	Hospital	R4/C1	5 to 10	Under Market	N	3	Close to hospital, good price	Remote from downtown, low LEED points

Site Map





August 13, 2013

Title:

Resolution 13-38 Amendment to Taos Police Pay and Classification Plan

Summary:

Consideration and possible approval of Resolution 13-38 amending the Taos Police Pay and Classification Plan to eliminate the delineation of hours required for the certifications for extra pay in the Pay and Classification Plan and adopt the standards of the respective issuing agency. This resolution also adds the phrase "All pay increases are subject to budget availability" at the end of the document.

Background:

There are currently ten different certifications in the Police Pay and Classification Plan, each one with its own time in training (hour) requirement. It is necessary to eliminate these delimitations in the policy because the issuing agencies change their standards from time to time, requiring that the Town either amend the policy every time this happens or accept that the affected individual would not be able to take advantage of the certification because he/she did not meet the Town's particular hour requirement.

Certifications for Extra Pay Under the Town's Police Pay and Classification Plan

- * Firearms Instructor (80 hours minimum)
- * Defensive Tactics Instructor/Use of Force/Taser (80 hours minimum)
- * General Police Lecture Instructor (40 hours minimum)
- Field Training Officer (80 hours minimum)
- Advanced Accident Investigation or Crash Reconstruction (80 hours minimum)
- EMT First Responder or Above (80 hours minimum)
- Incident Command System level 3 Incident Commander, Operations Chief
- Plans Chief, or Logistic Chief (80 hours minimum and task book completed)
- Bilingual in Spanish

*Instructor Development is a pre-requisite for these licenses. (40 hour minimum)

Attachments:

Click to download

📎 [Resolution 13-38](#)

📎 [Proposed changes to Police P&C Plan](#)



RESOLUTION 13-38

A RESOLUTION OF THE TOWN OF TAOS COUNCIL AMENDING RESOLUTION 12-06 WHICH CREATED A PAY AND CLASSIFICATION PLAN FOR TAOS POLICE DEPARTMENT COMMISSIONED PERSONNEL.

WHEREAS, on January 24, 2012, the Governing Body of the Town of Taos approved and adopted Resolution 12-06 creating and authorizing a Pay and Classification Plan (Plan) for commissioned personnel; and

Page 47

WHEREAS, the Plan allows for any Officer, regardless of rank, who achieves and maintains licenses or certifications in certain disciplines (as listed within the Plan), to receive a \$0.25 per hour / per license or certification increase; and

WHEREAS, minimum training hours are required for each license or certification in order for officers to receive the \$0.25 per hour increase; and

WHEREAS, the Town would like to eliminate the specific hours required to obtain a license or certification because the standards change from time to time; and

WHEREAS, the Plan also allows for longevity pay upon an officer reaching the maximum years of service within a given rank, and step/grade increases dependent upon performance evaluations.

WHEREAS, due to budgetary constraints, reoccurring funds are not available for wage increases; and,

WHEREAS, the Town proposes adding a clause stating all pay increases must be subject to budget availability.

NOW THEREFORE BE IT RESOLVED, that the Town Council approves and adopts the changes to the Police Pay and Classification Plan as outlined above and as modified in the Attachment hereto to provide as stated.

PASSED, APPROVED and ADOPTED, this 13th day of August, 2013, at the Regular Meeting of the Town Council by the following vote:

Mayor Pro Tem Andrew T. Gonzales
Councilmember Rudy C. Abeyta
Councilmember Michael A. Silva
Councilmember Frederick A. Peralta

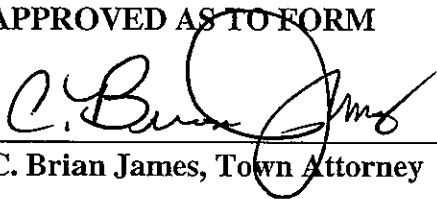
TOWN OF TAOS

Darren M. Cordova, Mayor

ATTEST:

Renee Lucero, Town Clerk

APPROVED AS TO FORM



C. Brian James, Town Attorney

TOWN OF TAOS POLICE DEPARTMENT

PAY & CLASSIFICATION PLAN

Adopted:
Proposed Resolu

Grade/Step	1	2	3	4	5	6	7	8	9
Job Title/Rank	0-1	1-3 yrs	3-5 yrs	5-7 yrs	7-9 yrs	9-11 yrs	11-12 yrs	12-13 yrs	14-15 yrs
PR Recruit	\$ 30,888.00								
	\$ 14.85								
PP Patrol		\$ 32,965.00	\$ 35,048.00	\$ 37,128.00	\$ 39,208.00	\$ 41,288.00	\$ 43,368.00	Add \$0.25/hr per year longevity >	
		\$ 15.85	\$ 16.85	\$ 17.85	\$ 18.85	\$ 19.85	\$ 20.85		
PD Detective			\$ 37,128.00	\$ 39,208.00	\$ 41,288.00	\$ 43,368.00	\$ 45,448.00	Add \$0.25/hr per year longevity >	
			\$ 17.85	\$ 18.85	\$ 19.85	\$ 20.85	\$ 21.85		
PS Sergeant				\$ 46,072.00	\$ 48,152.00	\$ 50,232.00	\$ 52,312.00	\$ 54,392.00	Add \$0.25/hr per year
				\$ 22.15	\$ 23.15	\$ 24.15	\$ 25.15	\$ 26.15	
PL Lieutenant						\$ 54,392.00	\$ 56,472.00	\$ 58,552.00	\$ 60,632.00
Chief	Negotiated as Exempt Position								

A Patrol Officer, Detective, or lateral candidate must achieve Intermediate Certification (200 cumulative hours beyond certification from DPS) before advancing beyond grade 3. This certification must be maintained to keep that pay grade.

A Patrol Officer, Detective or lateral candidate must achieve Advance Certification (400 cumulative hours beyond basic certification from DPS) before advancing beyond grade 4. This certification must be maintained to keep that pay grade.

A Patrol Officer, Detective or lateral candidate must possess First Line Supervisor training courses/certificates before promoting to Sergeant. Post training and promotion to rank of Sergeant must obtain and maintain DPS First Line Supervisor Certification (500 cumulative hours beyond basic from DPS) within one year.

A Sergeant or lateral candidate must possess Background Investigations and Advance Interviews before advancing beyond grade 5.

A Sergeant or later candidate must possess Mid-Management or Command courses/certificates before promoting to Lieutenant. Post training and promotion to rank of Lieutenant must obtain and maintain DPS Command Certification (700 cumulative hours beyond basic) within one year.

Any Officer regardless of rank, that achieves and maintains one or more of the following licenses or certifications shall receive \$0.25 per hour increase per license.

- * Firearms Instructor (~~80 hours minimum~~)
- * Defensive Tactics Instructor/Use of Force/Taser (~~80 hours minimum~~)
- * General Police Lecture Instructor (~~40 hours minimum~~)
- Field Training Officer (~~80 hours minimum~~)
- Advanced Accident Investigation or Crash Reconstruction (~~80 hours minimum~~)

EMT First Responder or Above ~~(80 hours minimum)~~

Incident Command System level 3 Incident Commander, Operations Chief

Plans Chief, or Logistic Chief ~~(80 hours minimum and task book completed)~~

Bilingual in Spanish

*Instructor Development is a pre-requisite for these licenses. ~~(40 hour minimum)~~

**Longevity pay is pay for loyalty and service years. Upon reaching the maximum years of service within a given rank, the employee is eligible for \$0.25 per hour per year of service.

**Any cost of living adjustment granted by the Town of Taos shall reflect on the salary matrix.

**Eligibility for maximum step/grade increases are dependent upon consecutive performance evaluations with an overall score of 35 or higher.

** All pay increases are subject to budget availability.

tion #13-38

10
15+ yrs

longevity >

Add \$0.25/hr
per year longevity>

A Patrol or Detective must achieve and maintain Intermediate Certification before advancing beyond grade 3.

A Patrol or Detective must achieve and maintain Advanced Certification before advancing beyond grade 4.

A Patrol, Detective or lateral candidate must possess First Line Supervisor training before promoting to Sergeant.

A Sergeant or lateral candidate must possess Background Investigations and Advanced Interviews before advancing beyond grade 5.

A Sergeant or lateral candidate must possess Mid-Management or Command training before promoting to Lieutenant.

Any Officer regardless of rank, that achieves and maintains any one of the following licenses shall receive \$0.25 per hour increase per license.

- * Firearms Instructor

- * Defensive Tactics/Taser Instructor/Use of Force

- * General Police Lecture Instructor

EMT - First Responder or above

Fingerprint Examination

Advanced Accident Investigation or Crash reconstruction

Incident Command System level 3 training as Incident Commander, Planning Chief, Operations Chief or Logistics Chief

Bi-lingual in Spanish

* Instructor Development is a pre-requisite for these license.

Example: A Sergeant with 6 1/2 years service is at Grade 4 making \$22.15. If he/she is a Firearms Instructor add \$0.25. Hourly wage is \$22.40



August 13, 2013

Title:

Renewal of amended Contract TT-13-49 with Taos Sports Alliance

Summary:

Consideration and possible renewal of Contract TT-13-49 with amendments in the amount of \$75,000 inclusive of gross receipts tax with the Taos Sports Alliance for the management and programming of the Taos Eco Park.

Background:

RFP-10-11-14

Contract TT-13-49

This contract automatically renews on August 15 each year until August 14, 2019 unless specifically terminated earlier by either party.

Attachments:

Click to download

📎 [Taos Sports Alliance - amended Contract TT-13-49](#)

📎 [Update](#)



AMENDED TOWN OF TAOS SERVICE CONTRACT TT-13-49

This contract is hereby made and entered into by and between the Town of Taos, a New Mexico Municipality (hereinafter "TOWN") and **Taos Sports Alliance** (hereinafter "CONTRACTOR"). This contract originally began on August 15, 2012 and is now amended and will renew on August 15, 2013 if approved by both parties. See contract item 2 for further details.

WHEREAS, the TOWN desires to promote sports and recreation in the region as a strategy for stimulating economic development and reducing childhood obesity and youth gang activity, working with the State of New Mexico, Taos Municipal School District, the County of Taos, Village of Taos Ski Valley, the Village of Questa, the Village of Angel Fire, and any interested sport, recreational group or local youth organization in the region.

WHEREAS, the TOWN considers the Taos Eco Park to be a vital element in this strategy,

WHEREAS, the TOWN considers the establishment of an institution whose mission is to promote Taos as a premier destination for athletic training and spectator sports events as a central component of this economic development strategy,

WHEREAS, the TOWN finds it necessary to retain a contractor that is knowledgeable of sports and recreation promotion to operate the Taos Eco Park,

WHEREAS, the CONTRACTOR'S mission is to establish Taos as a premier destination for athletic training and spectator sports events,

WHEREAS, the TOWN has procured the services of CONTRACTOR through an open solicitation process in accordance with all applicable laws; and

WHEREAS, the TOWN desires to engage CONTRACTOR to operate the Taos Eco Park in coordination with the Town of Taos and the Taos Public Schools, including the scheduling, marketing, ticketing, and supervision of operations and maintenance of the Taos Eco Park,

WHEREAS, the TOWN desires to help CONTRACTOR establish itself as an independent and self-sufficient regional organization,

WHEREAS, CONTRACTOR desires to provide such service(s) under the terms and conditions of this contract;

THEREFORE, IT IS HEREBY MUTUALLY AGREED by and between the parties that the CONTRACTOR will provide the following services and events, hereinafter referred to

as “DELIVERABLES” with partial funding from the TOWN:

Products: due each year of contract:

- A. Update of 3-Year Business Plan by November 15th each year.
- B. Facilities Operations and Scheduling Plan by September 15th each year; updated monthly as needed.
- C. Quarterly report to Town of Taos Council during Citizens Forum or Regular Agenda.

Services:

- D. Maintain and Publish a Program Calendar for Taos Eco Park updated monthly as needed.
- E. Manage concession Services for Special Events according to the Joint-Powers Agreement (JPA).
- F. Provide Online Media Service for Taos Eco Park to include operation of Taosecopark.com.
- G. Provided that the TOWN maintains the Field pursuant to the recommended standards of Shaw Sports Turf, and the TOWN maintains the Park to prevent damage to the field, other than normal wear and tear from recreational and event usage, the CONTRACTOR shall maintain the Federation of International Football Association Field Certification (FIFA) – 1 or 2 Star Rating.
- H. The Contractor shall monitor all traffic for the Taos Eco Park telephone number 575-737-2599 and email address ecopark@taosgov.com and report on significant developments.

Annual Events:

- I. National Soccer Coaches Association of America (NSCAA) or New Mexico Youth Soccer Association (NMYSA) Coaches or Referee Clinic.
- J. National Collegiate Athletic Association (NCAA), Professional or FIFA International Team Training Camp.
- K. NCAA, Professional or FIFA International Team Game.
- L. Taos Eco Park Annual NCAA & Club Soccer Showcase.
- M. Taos High School Boys & Girls Varsity and JV Soccer Games according to JPA.
- N. Taos High School Boys & Girls Varsity and JV Soccer Training according to JPA.
- O. Adult Club Soccer Team Training and Games according to the JPA.
- P. Taos Youth Soccer League Training and Games according to JPA.
- Q. Sangre de Cristo Boys Fall Soccer Tournament.
- R. Sangre de Cristo Girls Fall Soccer Tournament.
- S. Taos Youth Spring Soccer Skills Training.
- T. Taos Youth Summer Soccer Skills Training.

1. Contact Person, Address & Phone.

A. CONTRACTOR’S contact person for this contract is:

Justin Lea, President

B. The address and phone number is:

**630 Paseo del Pueblo Sur,
Suite 160
Taos, NM 87571
575-779-0635**

2. Term. This contract shall automatically renew on its anniversary for the next six years unless either party provides **120 days-notice to terminate it.** This contract shall terminate and not renew on **August 14, 2019** unless sooner terminated pursuant to the termination provisions above. The Town of Taos directs the CONTRACTOR to achieve the goal of self-funding by the end of this current fiscal year ending June 30, 2014. The Town will revisit this contract each budget cycle to determine the Town's availability of funds and the CONTRACTOR'S ability to achieve the goals stated herein without additional payments from the Town. **Contractor should not begin work under this Contract before this Contract is signed by both parties and should not continue work after the Contract terminates unless the Contract has been amended in writing to extend the term.** **The TOWN is not required to pay CONTRACTOR under this Contract for any work performed before the Contract is entered into or after it has terminated.**

3. Compensation
 - A. The total amount payable to the CONTRACTOR under this Contract, including gross receipts tax and any expenses agreed to, as shown below, shall not exceed **\$75,000**, provided further that the Town's contribution for the identical services shall be adjusted annually pursuant to the United States Department of Labor CPI schedules per the South Urban, Size D nonmetropolitan (less than 50,000) calculations. If GRT rate should increase during the term of this contract the total contract amount shall automatically increase to reflect the percentage of increase.

 - B. Subject to availability of funds pursuant to the Appropriations Paragraph below, the TOWN shall pay the \$75,000 in up to twelve (12) equal regular installments to be billed on a monthly basis for services rendered the previous month.

 - C. CONTRACTOR shall receive all forms of revenue generated at Taos Eco Park within the terms of the Joint Powers Agreement to include sponsorships, programming, concession, parking, admissions and all other revenue generated within the terms of the Joint Powers Agreement.

 - D. No further amount(s) beyond those set forth above shall be available under this contract unless authorized by law, ordinance, regulation or resolution and embodied in a written amendment to this contract executed prior to the additional work being performed.

4. Release. CONTRACTOR agrees that, upon final payment of the amount due under this contract, CONTRACTOR releases the TOWN from all liabilities, claims and/or obligations whatsoever arising from, or under, this contract.

5. Deliverables. CONTRACTOR shall deliver, to the TOWN, all "deliverables" included within the scope and timeframe of this contract.

6. Appropriations. This contract is contingent upon there being sufficient appropriations available. The TOWN shall be the sole and final determiner of whether sufficient appropriations exist. If this contract encompasses more than one fiscal year, this contract is contingent upon continuing appropriations being available.

7. Annual Review. If this contract encompasses more than one fiscal year, this contract is subject to an annual review by the TOWN. If any deficiencies are noted during the review process, the CONTRACTOR shall be given a specified time, as per the Notice to Cure provision below, in which to cure said deficiency (ies).
8. Termination-Suspension. This contract may be terminated at will, by either party, with or without cause. Termination shall be by written notice which shall be delivered or mailed (certified mail, return receipt) to the other party. If notice is by mail, notice (i.e., the effective date of termination) will be deemed to be effective one hundred twenty (120) calendar days from the date of the postmark. If notice is hand-delivered, termination is effective as of the time of delivery to the CONTRACTOR (personally or at his/her office) or when delivered to the Office of the Town Manager. If notified of termination, CONTRACTOR shall immediately cease performing services and deliver, to TOWN, any work in progress. If CONTRACTOR terminates this contract, notice of termination shall include CONTRACTOR's final billing statement. In no event shall termination nullify obligations of either party prior to the effective date of termination.

The TOWN may suspend work under this Contract for any reason the TOWN in its sole discretion deems sufficient, including but not limited to budgetary reasons or a need for further studies, investigation or analysis before work continues. Notice of Suspension shall be made or confirmed in writing, which shall be hand-delivered or mailed certified mail, return receipt requested, to CONTRACTOR. Immediately upon receipt of notice of contract suspension, CONTRACTOR shall cease work pursuant to the Contract and await further instructions from the TOWN except that, with the TOWN's permission which shall not be unreasonably denied, the CONTRACTOR may proceed with any work in progress that must be continued or completed in order to avoid damage, harm or risk to the TOWN's, the CONTRACTOR's, any subcontractor's, or the public's personnel or property. In the event that the CONTRACTOR, upon receiving a suspension of work notice, believes there is such reason for continuing work, it shall immediately so inform the TOWN and the parties shall in good faith attempt to agree on what additional work is reasonably required under the circumstances. Suspension of work shall not affect either party's obligations with respect to work done or obligations incurred before notice of contract suspension.

9. Conflict of Interest. CONTRACTOR warrants that it presently has no interest or conflict of interest and shall not acquire any interest or conflict of interest which would conflict with the performance of services under this Contract. This warranty includes Contractor's representation that it has no conflict of interest and will not acquire any conflict of interest as set forth in the Procurement Code, other laws of the State of New Mexico, and the Town of Taos Purchasing Policy Part XXIII or any replacement provisions.
10. Work Product. All work and work product produced under this contract shall be and remain the exclusive property of the TOWN and CONTRACTOR shall not use, sell, disclose or otherwise make available to anyone (individual, corporation or organization), other than the TOWN, any such work or work product or copies thereof. If applicable, the provision of Sec. 13-1-123(B), N.M.S.A. (1978 as amended) shall apply. Further, CONTRACTOR shall not apply for, in its name or otherwise, for any copyright, patent or other property right and acknowledges that any such property right created or developed remains the exclusive right of the TOWN.

11. Status of Contractor. CONTRACTOR acknowledges that it is an independent contractor and as such neither it, its employees, agents or representatives shall be considered employees or agents of the TOWN, nor shall they be eligible to accrue leave, retirement benefits, insurance benefits, use of Town vehicles, or any other benefits provided to Town employees.
12. Non-Agency. CONTRACTOR agrees not to purport to bind the TOWN to any obligation not assumed herein by the TOWN, unless the CONTRACTOR has express written approval and then only within the limits of that expressed authority.
13. Confidentiality. Any information learned, given to, or developed by CONTRACTOR in the performance of this contract shall be kept confidential and shall not be made available or otherwise released to any individual or organization without the prior written approval of the TOWN.
14. Worker's Compensation. CONTRACTOR acknowledges that neither it, its employees, agents or representatives shall have any claim whatsoever to worker's compensation coverage under the TOWN's policy. The CONTRACTOR agrees to comply with state laws and rules applicable to workers' compensation benefits for its employees. If the CONTRACTOR fails to comply with the Workers' Compensations Act and applicable rules when required to do so, this agreement may be terminated by the contracting agency.
15. Taxes. CONTRACTOR acknowledges that it and it alone, shall be liable for and shall pay to the New Mexico Taxation & Revenue Department, the applicable gross receipts taxes on all monies paid to it under this contract and that the TOWN shall have no liability for payment of such tax. CONTRACTOR also acknowledges that it, and it alone, shall be liable to the State and Federal government(s) and/or their agencies for income and self-employment taxes required by law and that the TOWN shall have no liability for payment of such taxes or amounts.
16. Records-Audit. CONTRACTOR shall keep, maintain, and make available to the TOWN all records, invoices, bills, etc. related to performance of this contract for a period of three (3) years after the date of final payment. If federal grant funds are used to pay under this contract, CONTRACTOR shall retain all records for the period of time under which OMB Circular 102-A shall apply. Said records shall be available for inspection, audit and/or copying by the TOWN or its authorized representative or agent, including federal and/or state auditors.
17. Indemnification. CONTRACTOR agrees to defend, indemnify and hold harmless the TOWN from any and all claims, suits, and causes of action which may arise from its performance under this contract unless specifically exempted by New Mexico law. CONTRACTOR further agrees to hold harmless the TOWN from all personal claims for any injury or death sustained by CONTRACTOR, its employees, agents or other representatives while engaged in the performance of this contract.
18. Assignment & Subcontracting. CONTRACTOR shall not assign, transfer or subcontract any interest in this contract or attempt to assign, transfer or subcontract any claims for money due under this contract without the prior written approval of the TOWN.

19. Non-Discrimination. CONTRACTOR agrees that it, its employee(s) and/or agent(s) shall comply with all federal, state and local laws regarding equal employment opportunities, fair labor standards, and other non-discrimination and equal opportunity compliance laws, regulations and practices.
20. Required Liability Insurance. CONTRACTOR shall maintain general liability insurance naming the Town of Taos as an additional insured in an amount at least equal to the requirements set forth by the New Mexico Tort Claims Act, Sec. 41-4-19, N.M.S.A. 1978.
21. Default by Contractor. In the event that CONTRACTOR defaults on any term or provision of this contract, the TOWN retains the sole right to determine whether to declare the contract voidable and/or CONTRACTOR agrees to pay the TOWN the reasonable costs, including court fees and attorney's fees and direct and indirect damages, incurred in the enforcement of this contract.
22. Efforts to Cure. If the TOWN elects to provide the CONTRACTOR with notice to cure any deficiency or default, the CONTRACTOR may have the time specified in the written "Notice to Cure" Authorization. Failure, by the CONTRACTOR, to cure said deficiency or defect, within the authorized time, shall result in an immediate termination of this contract subject to the provision of No's. 10, 25, & 27 herein.
23. Severability. In the event that a court of competent jurisdiction finds that any term or provision of this contract is void, voidable or otherwise unenforceable, all other terms and provisions shall remain intact and enforceable where not otherwise inconsistent with the Court's findings.
24. Scope of Agreement. This contract incorporates all of the agreements and understandings between the parties. No prior agreement(s) or understanding(s), verbal or otherwise, shall be valid or enforceable unless embodied in this contract.
25. Applicable Law. This contract shall be governed by the Laws of the State of New Mexico and the Ordinances, resolutions, rules and regulations of the TOWN. Any legal proceeding brought against the TOWN, arising out of this contract, shall be brought before the Eighth Judicial District Court, Taos County, State of New Mexico.
26. Illegal Acts. Pursuant to Sec. 13-1-191, N.M.S.A. 1978 (as amended), it shall be unlawful for any CONTRACTOR to engage in bribery, offer gratuities with the intent to solicit business, or offer or accept kickbacks of any kind. All other similar act(s) of bribes, gratuities and/or kickbacks are likewise hereby prohibited.

IN WITNESS HEREOF, the parties have executed this Agreement as of the date first written above.

CONTRACTOR:

Contractor
Printed Name: _____
Title or Position: _____

Contractor's GRT/CRS Number OR

Contractor's Fed. Tax ID No. or SSN

ACCOUNTING APPROVAL:

Marietta S. Fambro, Finance Director
Budget Line Item: 30-25-44005

ADMINISTRATIVE APPROVAL:

Oscar Rodriguez, Town Manager

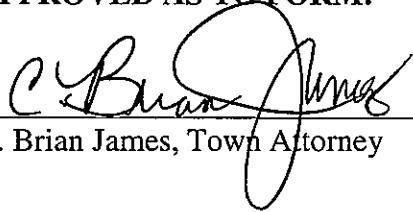
TOWN APPROVAL:

Darren M. Cordova, Mayor

ATTESTED TO BY:

Renee Lucero, Town Clerk

APPROVED AS TO FORM:



C. Brian James, Town Attorney

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MEMO

DATE: August 6, 2013

TO: Oscar Rodriguez

FROM: Steve Kennebeck, Facilities Services Director

Re: Status Eco of Park Activity

To date, the following actions have been completed by Facilities Services staff:

- All dead trees have been removed (some dead shrubs remain but will be removed).
- The lighting detector alarm system was cleaned and serviced (it currently needs additional repair).
- A large portion of weeds have been removed and the areas treated to slow regrowth.
- A French drain was built as a temporary measure to prevent rain water from intruding on the field.
- The restrooms are being cleaned and serviced and trash is being removed routinely.

Living Designs Group (LDG) has a current professional services contract for construction design and project management for Eco Park. I am working with Doug Patterson to accomplish the work approved by the Mayor and Council. I have issued a Delivery Order to LDG to begin work on trouble shooting and start-up of the irrigation system. Phoenix Mechanical staff was on site today to begin installing power to the system. I have bid requests out for the irrigation work and responses should be received by the end of this week. The next step will be to get the contractor to the park and get the system operational. A follow on to the irrigation will be to solicit bids on landscaping. I'm now working on a Delivery Order to LDG to correct and complete the grading as well as modifications to the drainage of the on-site building. I expect to get pricing from LDG in the coming days. After the Delivery Order is issued we will issue bids to complete that work.

The daily operation and maintenance of the park was to be assumed by the Taos Sports Alliance by way of contract amendment beginning July 1st. That contract is managed by Brian Greer. I worked with him and Joel Israel well in advance of the commencement date on a scope of work for the contract amendment that was agreed to by all. Due to a series of issues with the contract amendment and the renewal of the original contract, my department continues to perform operations and maintenance.

As directed, I have issued a 60-day contract bid for a private contractor to immediately assume the operation and maintenance of the park. It was sent to four local contractors and responses are due back today. I prepared a modified scope of work (with a few minor additions) for the annual contract request for proposal and it is with finance for posting.



August 13, 2013

Title:

Resolution 13-35 Intergovernmental Transfer of Personal Property

Summary:

Consideration and possible approval of Resolution 13-35 approving the transfer to Taos County a 2002 Chevy Impala, a 1997 Dodge Ram 1500 4x4, and a 1995 Chevy S10 2WD pickup.

Background:

These items are deemed unusable by the Town of Taos. Taos County has a need for these vehicles since they do not have the funding in place to purchase new vehicles. (Submitted by Marietta Fambro)

Attachments:

Click to download

📎 [Resolution 13-35](#)

📎 [Letter of Interest](#)



RESOLUTION 13-35

A RESOLUTION OF THE TOWN OF TAOS COUNCIL APPROVING THE INTERGOVERNMENTAL TRANSFER OF THE 2002 CHEVY IMPALA, 1997 DODGE 1500 4X4 TRUCK AND 1995 CHEVY S-10 2 WD PICKUP TRUCK TO TAOS COUNTY

WHEREAS, the Town of Taos owns certain personal property which the Town is no longer in need of; and

WHEREAS, the Town of Taos has specifically identified such property herein; and

WHEREAS, the Town of Taos believes it is in the best interest of the Town to dispose of said property pursuant to state and local requirements.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Taos that the items of property identified:

1. 2002 Chevy Impala Vin# 2G1WF55K229325170 mileage: 128,103
2. 1997 Dodge Ram 1500 4X4 Truck Vin# 3B7HF13Z7VG777859 mileage: 122,425
3. 1995 Chevy S-10 2 WD Pickup Truck Vin# 1GCCS1448S8253680 mileage 168,298

And that the property is no longer usable by the Town and will be disposed of by intergovernmental transfer to Taos County.

Pursuant to NMSA 1978, Section 3-54-2.D, the transfer of items of personal property identified here will pass from the Town of Taos to Taos County respectively upon approval from the Local Government Division of the Department of Finance and Administration and is contingent upon such approval.

PASSED, APPROVED and ADOPTED, this 13th day of August, 2013, at the Regular Meeting of the Town Council by the following vote:

Mayor Pro Tem Andrew T. Gonzales	_____
Councilmember Rudy C. Abeyta	_____
Councilmember Michael A. Silva	_____
Councilmember Frederick A. Peralta	_____

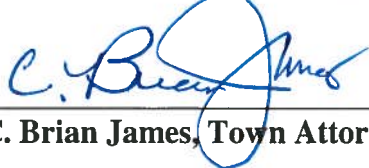
TOWN OF TAOS

Darren M. Cordova, Mayor

ATTEST:

Renee Lucero, Town Clerk

APPROVED AS TO FORM



C. Brian James, Town Attorney



Taos County Office of Community Development

Michael G. Trujillo
105 Albright Street Ste M
Taos, New Mexico 87571
(505) 737-3852
(505) 737-3894 Fax
michael.trujillo@taoscounty.org

July 25, 2013

Sharon Padilla
Finance Surplus
Mario Montoya
Fleet Superintendant
Town of Taos

Dear Ms. Padilla and Mr. Montoya:

I am respectfully requesting your assistance in acquiring Unit Number 70 which is a 2002 Dodge Pick Up via a government to government transfer of property; I understand that Mr. Jim Fambro the Questa Village Administrator had requested this vehicle for the village of Questa and after speaking to Mr. Fambro he is willing to allow Taos County to receive this truck that he had requested;

1. 1997 Dodge 1500 Extended Cab, VIN #: 3B7HF13Z7VG777859, mileage 122,425

I am also requesting your assistance in acquiring the following vehicles via a government to government transfer of property;

1. 2002 Chevy Impala, VIN #: 2G1WF55K229325170, mileage 128,103
2. 1995 Chevy S-10 2 WD Pickup Truck, VIN #: 1GCCS1448S8253680, mileage 168,298

I understand that this process could take a couple of months if it is approved by the Town Council and the Department of Finance and Administration.

As you are well aware Taos County does not have the necessary funding mechanisms' in place to purchase new equipment and rely heavily on agencies such as yours to assist with this type of request.

Any assistance that you can provide in our effort to continue this much needed training is appreciated and I await your response.

Muchas Gracias,

A handwritten signature in black ink that reads "Michael G. Trujillo".

Michael G. Trujillo
Director
Taos County Office of Community Development



August 13, 2013

Title:

Creation of New Position - Assistant Town Attorney

Summary:

Consideration and possible approval to create a new position within the organizational chart and classification plan of the Town of Taos to assist the Town Attorney.

Background:

Attachments:

[Click to download](#)

No Attachments Available



August 13, 2013

Title:

Update Regarding Central Communications

Summary:

Update regarding the relocation of Central Communications to the new Emergency Central Communications Center located at 1146 Gusdorf Road.

Background:

Presented by Assistant Town Manager, Abigail Adame.

Attachments:

Click to download

📎 [Update 8-13-2013](#)



TAOS DISPATCH RELOCATION IMPLEMENTATION PLAN 8.13.13 UPDATE

Project Purpose / Goals

1. Relocate five call taking positions from facility at current facility on Civic Plaza Drive to Kit Carson Electric Cooperative (KCEC) on Gusdorf Road.
2. Migrate all call taking and dispatching operations ensuring no degradation of services to citizens within Town of Taos or to supported agencies.
3. Focus on operational call taking being established within KCEC by Revised Date of September 18th, 2013
 - Update on revised date – configuration of the system was able to be scheduled sooner than anticipated which has moved the projected go live date forward to **August 28th, 2013**.

Task Status

1.KCEC Build Out –

- a. Furniture being removed as necessary to facilitate project.

2.Circuit Orders from Centurylink –

- a. Ordering of circuits from CenturyLink has been delayed due to contractual negotiations
- b. Circuits were ordered during the week of 7/15, with 30 day lead time circuits will be available at the Regional Command Center on the week of August 19th to begin testing of equipment.
- c. Circuits will be activated and tested on 8/21.

3.Relocate Dispatch Furniture from Civic Plaza Drive to Gusdorf Road –

- a. The first phase, movement and refurbishment of furniture from 3 positions, has been executed
- b. PMG will return to move and refurbish the remaining positions during the week of 8/19.

Task Status (Cont.)

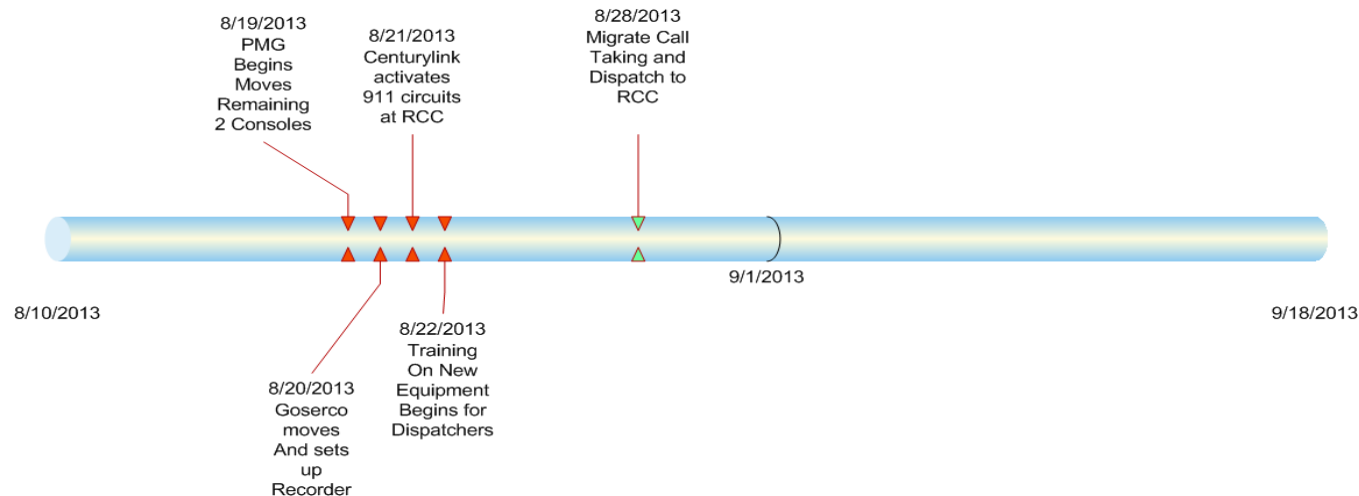
4. **Electrical and Networking at Emergency Communications Center –**
 - a. Advanced Communications has completed electrical infrastructure work at the Emergency Communications Center (Gusdorf Road) in accordance with Motorola requirements.
5. **Order and Installation of new Call Taking Equipment for Emergency Communications Center –**
 - a. Motorola has confirmed shipment of call taking equipment for the Emergency Communications Center.
 - b. Motorola is operating under an interim contract with the State and will need to be completed with all work no later than September 30th.
 - c. New call taking equipment is installed and the configuration by Cassidian is completed.
6. **Transition Equipment from Civic Plaza Drive to Gusdorf Road –**
 - a. Once ready to execute the transition of operations to the Emergency Communications Center, Advanced Communications will move radio consoles, PC's and monitors.
 - b. Vendors for moving recorders are under evaluation, this will not be Advanced Communications. It will be either Goserco or ISC.
 - c. Advanced Communications to execute radio console move in parallel with circuit move.
7. **Secure Access for Emergency Communications Center –**
 - a. Contract is finalized for security access system from Teleguard.
 - b. Security access has been installed.

Tasks Completed Since Previous Council

- Cassidian Engineer scheduled and system configuration
- Commitment date from Centurylink received
- Electrical and Networking infrastructure at new Emergency Communications Center completed
- Validation of network connectivity and testing between Emergency Communications Center and Civic Center facility
- Evaluation of quotes from vendors for recorder move
- Security system installed by Teleguard

Tasks in Progress

- Configuration / Validation of the installed security system, badge setup
- Final contract signatures for movement of recorder from Civic Center Drive to the Emergency Communications Center
- Final validation of radio traffic across network
- Validation of redundant network connections
- Final schedule planning for new site turn up
- Develop Method of Procedure (MOP) for August 28th 'Go Live' date for all participants



Budget Overview

➤ Table below shows current budgetary projections, details can be found on the following slide.

Current Project Budget Overview	
Project Budget =	\$345,000.00
Total Budgetary Estimate =	\$190,477.00
Subtotal =	\$154,523.00

Cost Details

➤ Current projected spending details

Item/Service	Provider	Budgetary Estimate	Notes
Soundproofing at KCEC	KCEC	\$0.00	
AC unit at KCEC	KCEC	\$7,111.00	
Building Security	Teleguard	\$11,000.00	
Circuit: 3 Make Busy	CenturyLink	\$1,002.00	
Circuit: 2 ALI Links	CenturyLink	\$0.00	
Circuit: 1 T1 to State MPLS Map/Monitoring Network	CenturyLink	\$650.00	
Circuit: 6 9-1-1 (3 Wireless and 3 wireline)	CenturyLink	\$8,268.00	
Circuit: 3 Admin	CenturyLink	\$162.00	
Circuit: 1FB for equipment monitoring	CenturyLink	\$54 .00	
Movement and refurbishment of Watson Furniture	Progress Marketing Group	\$24,500 .00	
Call Taking and ALI Modems	Motorola		Covered by DFA Grant
Relocation of Radio Consoles	Advanced Communications	\$71,375 .00	
Movement of Recorders	Goscerco	\$3,650. 00	
Movement of CAD system	Taos IT		
Movement of NCIC system	Taos IT		
IT Infrastructure to estimate redundant connection between Town Hall and Dispatch	Taos IT	\$5,705.00	
Public Works to trench for redundancy	Taos PW		
Movement of Miscellaneous components	Taos IT		
Consulting Oversight / PM	LRK	\$50,000.00	
Contingency		\$7,000.00	Page 76
Current Budgetary Projections		\$190,477.00	



August 13, 2013

Title:

Amendment No. 1 to Contract TT-13-246 with CDI-Infrastructure, LLC dba L.R. Kimball

Summary:

Discussion and direction to the Town Manager to engage with CDI-Infrastructure, LLC, dba L.R. Kimball, to assist staff and plan for the possibility of having to operate the Emergency Dispatch Center with Taos County operating separate E911 Center and to provide recommendations on improvements to existing dispatch operations.

Background:

Town staff is seeking direction from the Council regarding the amount of work they would like for L.R. Kimball to do with regard to the attached scope of work. Upon direction from Council staff will work with L.R. Kimball in finalizing the scope of work depending on the amount of work selected by Council.

GSA Contract No. GS-35F-0037R

Attachments:

Click to download

📎 [Proposed Scope of Work](#)

PROPOSED SCOPE OF WORK

At a high level the steps involved with L.R. Kimball creating a recommendations document for the proposed situation of assisting staff prepare for the possibility of having to operate the Emergency Dispatch Center with Taos County operating a separate E911 Center and to provide recommendations on improvements to the existing dispatch operations are as follows:

- Facilitate a kickoff meeting with representation from the Town and the County to frame the objectives of the project
- Assessment Phase –
 - Assess current operating procedures within the Town's PSAP from an operational / staffing perspective
 - This assessment would be executed by staff from Kimball that have extensive experience managing and/or directing 9-1-1 call centers of all sizes
 - Assess Regulatory / Legislative boundaries within New Mexico as it pertains to call delivery, both wireless and wireline.
 - This assessment would be executed by Kimball legal staff with experience in evaluating State and Local regulations related to Public Safety
 - Assess current networking infrastructure
 - This assessment would be executed by Kimball legal staff with experience in evaluating both telephony networks and data networks
- Recommendations phase –
 - Create written reports with recommendations and/or plans that address –
 - Current operating procedures and how to improve, this may include such things as illustrating that staying in a single center may be the most efficient model.
 - Applicable State Laws and Regulations that impact the Towns PSAP operations
 - Network diagramming of telephony network to show how calls are routed for wireless and wireline
 - Data network diagramming and opportunities for improving data network



August 13, 2013

Title:

Ordinance 13-11 Relating to Busker Activities

Summary:

Consideration and possible approval of Town of Taos Ordinance 13-11; An Ordinance Repealing Section 5.08.120 of the Town of Taos Code in its entirety. Effective upon the passing of the Town of Taos Ordinance 13-12; an Ordinance related to Panhandling on Public Property.

Background:

This action resends the busker ordinance as requested by Council on July 9. The repeal is effective upon the passage of Ordinance 13-12 at the August 27, 2013 meeting when the anti pan-handling ordinance is approved. The new ordinance prohibits aggressive and passive panhandling and addresses the concerns about the effective enforcement of the busker ordinance.

Attachments:

Click to download

📎 [Ordinance 13-11](#)

TOWN OF TAOS
ORDINANCE NO. 13-11

AN ORDINANCE REPEALING SECTION 5.08.120 OF THE TOWN OF TAOS CODE IN ITS ENTIRETY. EFFECTIVE UPON THE PASSING OF THE TOWN OF TAOS ORDINANCE 13-12; AN ORDINANCE RELATED TO PANHANDLING ON PUBLIC PROPERTY

WHEREAS, this Ordinance repeals Section 5.08.120 of the Town of Taos Code; and
WHEREAS, the Town of Taos now wishes to replace this Section in its entirety; and
WHEREAS, it is in the public interest to adopt these changes;

~~5.08.120: BUSKER ACTIVITIES:~~

~~A. Definition: A person or persons who engage in activity of playing music or provide a form of entertainment in a public place usually while soliciting money. This activity usually includes, but is not limited to, acrobatics, animal tricks, balloon twisting, card tricks, clowning, comedy, contortions and escapes, dance, fortune telling, juggling, magic, mime, musical performance, puppeteer, storytelling, poetry and prose, street art such as sketching or painting and street theater.~~

~~B. General Guidelines:~~

~~1. Authority Of The Chief Of Police And Code Administrator: The chief of police and/or the code administrator and/or their designee is empowered to enforce the provisions of this chapter and section, to revoke or suspend the activities of a busker, in the event that they deem it necessary to comply with the provisions of this code, and/or in the interest of health, safety and welfare of the town.~~

~~2. Location; Hours: The Taos town council has authorized the use of the areas of the central business district for busker activities. Busker activities are permitted between the hours of nine o'clock (9:00) A.M. and ten o'clock (10:00) P.M.~~

~~3. Compliance With Noise Regulations: Busker activity must comply with the town of Taos noise ordinance, and any busker activity will not be amplified electronically or otherwise.~~

~~4. Blocking Of Streets Prohibited: Buskers shall not block or cause blocking of any sidewalk, passageway, street, or entrance to a business or residence.~~

~~5. Conflict With Public Events: Buskers on public property shall not perform where and when other public events have been scheduled.~~

~~6. Distance Between Performers: Buskers shall maintain a reasonable distance between performers.~~

~~7. Hours At One Location: Buskers on public property shall not remain at one location longer than two (2) hours and shall not return to that location until two (2) hours have lapsed.~~

~~8. Panhandling Prohibited: Panhandling will not be permitted at any time. A tip jar or guitar case or other tip holder may be displayed only while busking. The sales of any goods require an itinerant vendor permit.~~

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Taos, meeting in Regular Session, this 13th day of August 2013, and after having held a public hearing on the matter, that this Ordinance is hereby adopted and will be effective upon passage of Ordinance 13-12. An Ordinance Related to Panhandling on Public Property; Amending Section 5.08.120 Town of Taos Code to Amend the Definition of Panhandling to Include Non-vocal Solicitations; and Amending Section 5.08.120-b8 Town of Taos Code to Amend the Regulations for panhandling on Public Property.

PASSED, APPROVED AND ADOPTED this 13th day of August, 2013, by the Town of Taos, Town Council, New Mexico.

Darren M. Cordova, Mayor

ATTEST

Renee Lucero, Town Clerk

1
2
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APPROVED AS TO FORM

C. Brian James, Town Attorney



August 13, 2013

Title:

Plaza Merchant Survey Results

Summary:

The Town Manager will present the results of a survey taken of merchants in the vicinity of Taos Plaza and recommend a response to the request by merchants on the Taos Plaza not to allow any crafts fairs on the plaza.

Background:

Town staff surveyed the merchants in the vicinity of the Taos Plaza on July 31 to get their input on how to handle future requests for arts and craft fairs on the plaza. This survey was conducted to establish in a disinterested fashion the most affected merchants' sentiment regarding arts and craft fairs on the plaza and, in part, to chart the Town's response to these merchants' request to no longer allow any arts and craft fairs on the plaza.

Attachments:

Click to download

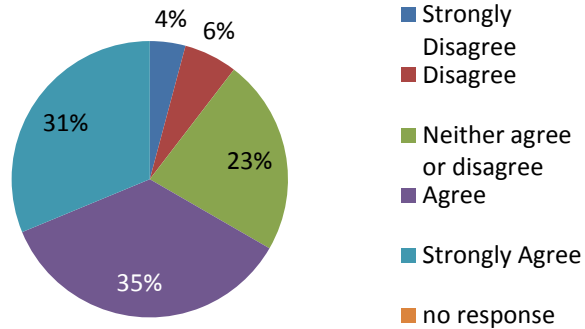
- 📎 [Charts](#)
- 📎 [survey summary](#)
- 📎 [Survey](#)
- 📎 [Vendor List](#)

Taos Plaza - Arts and Craft Fairs survey - conducted 7/31/13

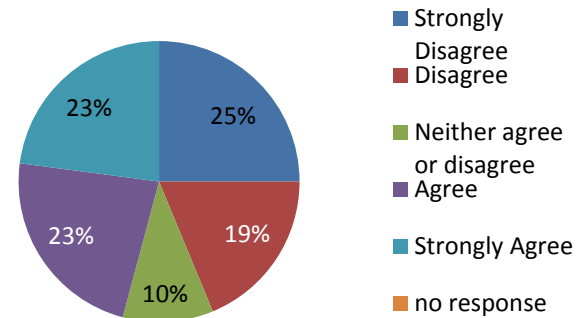
All Respondents

Page 1 of 3

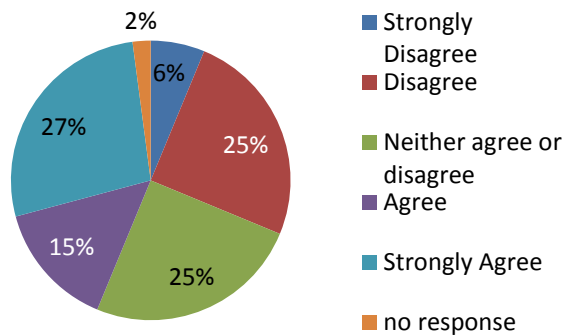
Arts & crafts fairs on the Plaza affect my business: All Respondents



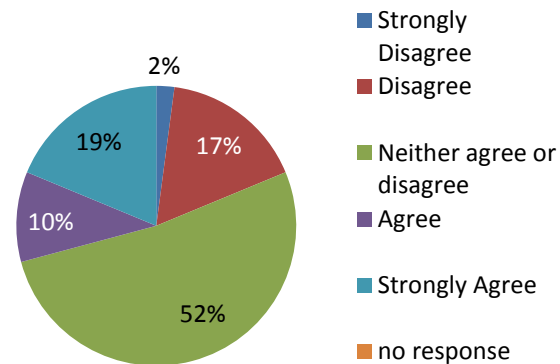
Arts and crafts fairs on the Plaza compete with my business: All Respondents



Arts and crafts fairs on the Plaza are held too often



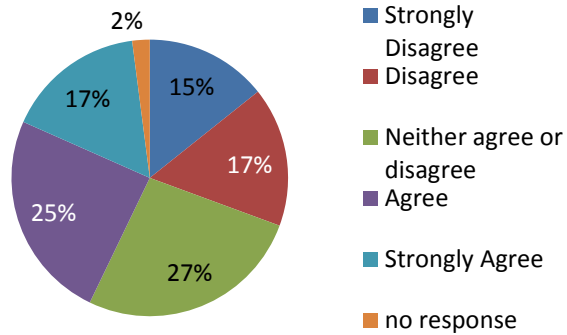
The Plaza use fee of \$200/day + \$25/event for utilities is too low



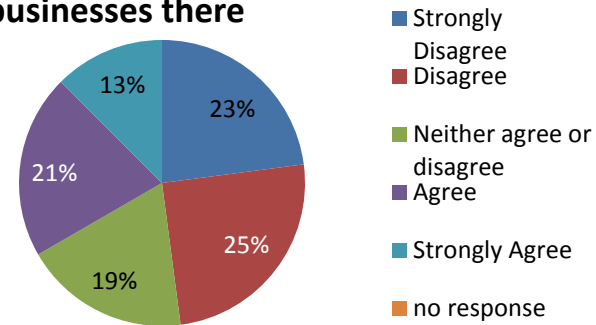
Taos Plaza - Arts and Craft Fairs survey - conducted 7/31/13
All Respondents

Page 3 of 3

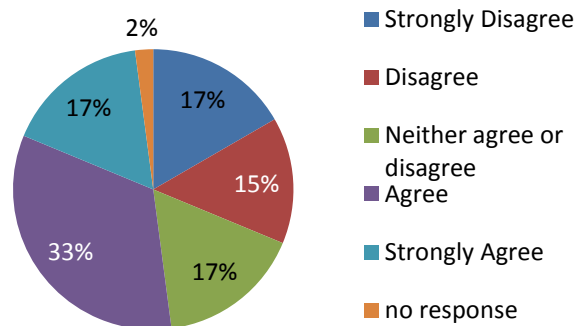
Arts and craft fairs of the Plaza draw tourists



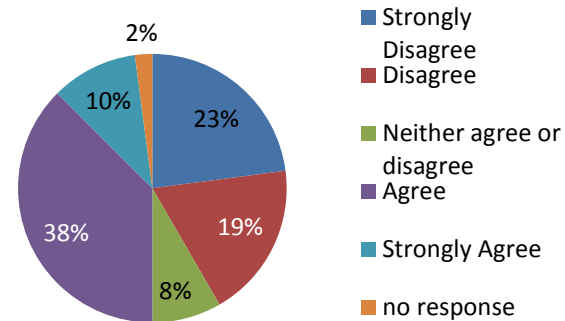
Arts and craft fairs on the Plaza bring new customers to the businesses there



Arts and crafts fairs on the Plaza are part of the character of Taos



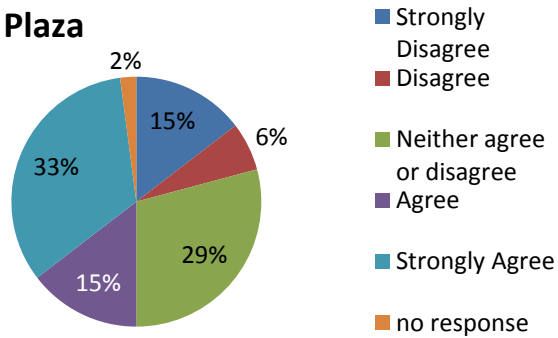
Arts and crafts fairs on the Plaza are an economic benefit to Taos



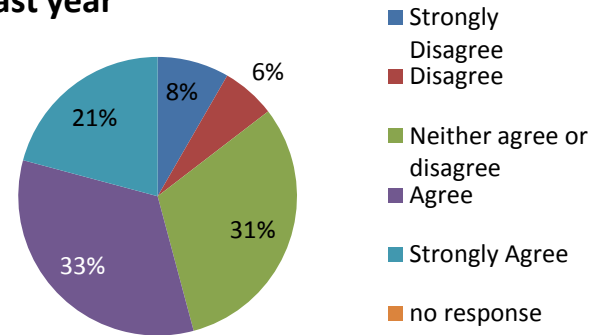
Taos Plaza - Arts and Craft Fairs survey - conducted 7/31/13 All Respondents

Page 3 of 3

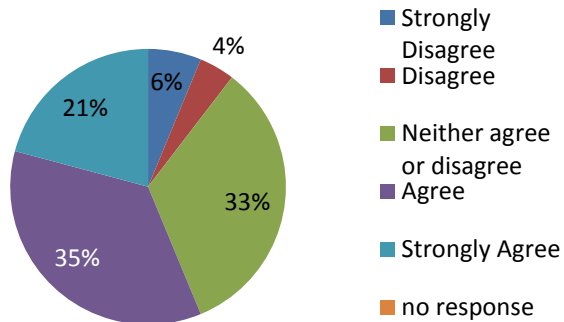
All arts and crafts fairs should be held in Kit Carson Park instead of the Plaza



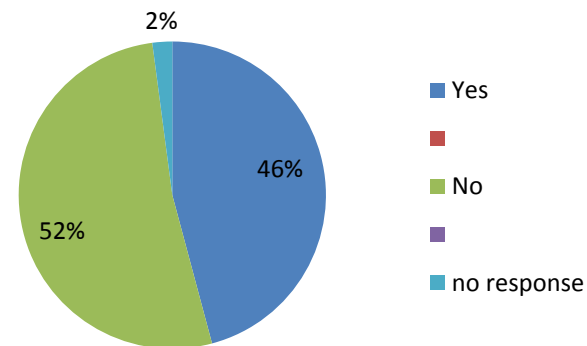
Maintenance of the Plaza's public space has improved in the last year



The appearance of the Plaza has improved in the last year



Does your business immediately face the Plaza



Taos Plaza - Arts and Craft Fairs Survey - conducted 7/31/13

STATEMENT	RESPONSES					
	Strongly Disagree	Disagree	Neither agree or disagree	Agree	Strongly Agree	no response
Arts and crafts fairs on the Plaza affect my business	2	3	11	17	15	
Arts and crafts fairs on the Plaza compete with my business	12	9	5	11	11	
Arts and crafts fairs on the Plaza are held too often	3	12	12	7	13	1
The Plaza use fee of \$200/day + event for utilities is too low	1	8	25	5	9	
Arts and craft fairs of the Plaza draw tourists	6	8	13	12	8	1
Arts and craft fairs on the Plaza bring new customers to the businesses there	11	12	9	10	6	
Arts and crafts fairs on the Plaza are part of the character of Taos	8	7	8	16	8	1
Arts and crafts fairs on the Plaza are an economic benefit to Taos	11	9	4	18	5	1
All arts and crafts fairs should be held in Kit Carson Park instead of the Plaza	7	3	14	7	16	1
Maintenance of the Plaza's public space has improved in the last year	4	3	15	16	10	
The appearance of the Plaza has improved in the last year	3	2	16	17	10	
	Yes		No		no response	
Does your business immediately face the Plaza	22		25		1	

150 surveys printed - 7 misprints

102 businesses on contact list, of those 4 businesses had same owner

90 business contacted - 8 were closed

90 delivered surveys

48 received surveys

53 extra copies of survey

Darren M. Cordova, Mayor

Councilmembers:

Rudy C. Abeyta

Andrew T. Gonzales

Frederick A. Peralta

Michael A. Silva

Oscar Rodriguez, Town Manager



Taos Municipal Building
400 Camino de la Placita
Taos, New Mexico 87571
(575) 751-2000
Fax (575) 751-2026

Visit us on our Website at:
www.taosgov.com

Town Policy Regarding Arts and Craft Fairs on Taos Plaza

The Town is considering changing its policy regarding arts and craft fairs on Taos Plaza and wants to get input from the most affected merchants before it moves forward. Please complete the survey below to let us know how you feel about the presence of these fairs on the Plaza. The results will be tabulated and made public at a presentation to the Town Council at its August 13th meeting.

Do you strongly disagree, disagree, neither agree nor disagree, agree, or strongly agree with each of the statements below?	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Arts and craft fairs on the Plaza affect my business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and craft fairs on the Plaza compete with my business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and craft fairs on the Plaza are held too often	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The plaza use fee of \$200/day + \$25/event for utilities is too low	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and craft fairs on the Plaza draw tourists	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and craft fairs on the Plaza bring new customers to the businesses there	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and craft fairs on the Plaza are part of the character of Taos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and craft fairs on the Plaza are an economic benefit to Taos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All arts and craft fairs should be held in Kit Carson Park instead of the Plaza	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintenance of the Plaza's public space has improved in the last year	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The appearance of the Plaza has improved in the last year	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Does your business immediately face the Plaza?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	--	---------------------------------------

Taos Plaza - Arts and Craft fair survey - conducted 7/31/13									
	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
1	Taos Mountain Candle Factory	West Plaza	102 W. Plaza	7/31/13 2:08pm	Cindy Maestas	X			
2	Made in New Mexico	West Plaza	104 W. Plaza		Ellen Wicai		X		Rand Levitt -owner in tomorrow
3	Taos Mercantile	West Plaza	106 W. Plaza						
4	Sun Shades of Taos	West Plaza	108 W. Plaza	7/31/2013 2:35pm	Rachel Martinez		X		owner out of town w/ new baby
5	The Village Shop	West Plaza	110 W. Plaza	7/31/13 2:42pm	Bernie Garcia	X			
6	The Coyote Club	South Plaza	118 S. Plaza	7/31/2013 4:00pm	Leslie		X		left survey
7	Taos Mountain Outfitters	South Plaza	114 S. Plaza		Kim VanDemar	X			Kara Williams / Sean Maher
8	Rocky Mountain Chocolate Factory	South Plaza	112 S. Plaza		Bowe Ellis	X			
9	Touchstone Gallery	South Plaza	110 S. Plaza	7/31/2013 2:50PM	Karen Brown		X		Manager for the past 10 years - owners are from out of town.
10	Hotel La Fonda de Taos	South Plaza	108 S. Plaza	7/31/13 3:00pm	Marylou		X		owners out of town

	Business	Location	Address	Date / Site Visit					
11	Noula's Coffee	South Plaza	106 S. Plaza						
12	Cowboys & Indians de Taos	South Plaza	104 S. Plaza	7/31/13 2:50pm	Atira Montoya	X			
13	Pueblo Collections	South Plaza	102 S. Plaza	7/31/13 2:40pm	Ahmed Khweis	X			same owner for Indian Hills / Taos Kokopelli
14	Atira's Southwest	South Plaza	102 A S. Plaza		Atira Montoya				Same owner for Cowboys & Indians (left survey)
15	Indian Hills / Taos Kokopelli	McCarthy Plaza South Plaza	100 A S. Plaza		Ahmed Khweis	X			filled out survey
16	White Lotus	McCarthy Plaza South Plaza	100 S. Plaza	7/31/13 2:35pm	Annya	X			out of town
17	At Home in Taos	McCarthy Plaza South Plaza	117 S. Plaza	7/31/13 2:30pm	Georgia Newman	X			
18	I Love Taos T-Shirt Company	McCarthy Plaza South Plaza	115 A East Plaza	7/31/13 2:20pm	Myra Archuleta	X			
19	Doug Scott	McCarthy Plaza East Plaza	115 B East Plaza	7/31/13 2:20pm	Tenny		X		left survey
20	Sage Fine Art	McCarthy Plaza East Plaza	115 C East Plaza	7/31/13 2:20pm	Lynn Mclain	X			

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
21	Charles Collins Gallery	McCarthy Plaza East Plaza	115 D East Plaza	7/31/13 2:15pm					out of town for two weeks
22	Mason Faurie Antiques	East Plaza / under Gorge Bar & grill	115 E East Plaza	7/31/13 2:05pm	Robert Faurie	X			
23	From the Andes	East Plaza / under Gorge Bar & grill	103 G. East Plaza	7/31/13 1:35pm	Ida Stebbins		X		left survey
24	Open Space Gallery	East Plaza / under Gorge Bar & grill	103 B East Plaza	7/31/13 1:40pm	Shirley Belz	X			
25	Beautiful Bones Boutique	East Plaza / under Gorge Bar & grill	103 East Plaza	7/31/13 1:45pm	vivky Magiera	X			
26	Touch of Taos	East Plaza / under Gorge Bar & grill	103 A East Plaza	7/31/13 1:30pm	Heyem Khweis	X			
27	La Bodega Fresca	Paseo del Pueblo Norte	102 C Paseo del Pueblo Norte	7/31/13 3:20pm	Baltezar	X			
28	Ed Sandoval Gallery	Paseo del Pueblo Norte	102 B Paseo del Pueblo Norte	7/31/13					closed
29	World Cup	Paseo del Pueblo Norte	102 A Paseo del Pueblo Norte		Kelly		X		left survey
30	Silver Touch	N. Plaza	103 N. Plaza						

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
31	Mesa's Edge	N. Plaza	107A N. Plaza	7/31/13 1:31pm	Laverne Concha		X		
32	Frank Seckler Gallery	N. Plaza	107 B N. Plaza	7/31/13 1:35pm	Jose Hart	X			
33	Nambe`	N. Plaza	109 N. Plaza	7/31/2013 1:41pm	Feliz Tafoya				manager / chain
34	Taos Cowboy	N. Plaza	111 N. Plaza	7/31/13 1:47pm	Manuel Barela				Trading Post / Taos Cowboy same owner
35	El Mercado	N. Plaza	113 N. Plaza						
36	Taos Trading Company	N. Plaza	115 N. Plaza						
37	call for info	N. Plaza	117 N. Plaza						
38	Taos Accessories	N. Plaza	121 N. Plaza Space 9	8/1/2013 1:15pm	Wanda Fresquez	X			
39	Bear Mountain Runner	N. Plaza	Old County Courthouse	7/31/13	Renee Zamora		X		Anthony Zamora - Owner Left survey with Renee
40	(TCCC) Taos Community Centers CO-OP	N. Plaza	Old County Courthouse	7/31/13 1:59pm	Kimiry Griffin				Effie Romero - President in tomorrow

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
41	Smoke signals	N. Plaza	123 N. Plaza	7/31/13 2:15pm	Dane Johnson	X			
42	Acuerlas	N. Plaza	125 N. Plaza	7/31/13	Leandro Rodriguez	X			
43	Artwares Contempary Jewelry	N. Plaza	129 N. Plaza	7/31/2013 4:00pm	Ranee Malanga	X			
44	Six Directions	N. Plaza	129B N. Plaza	7/31/2013 2:22pm	Neva Wilson	X			
45	La Tierra Minerals	W. side of John Dunn Shops	124 J Bent St	7/31/13	Theresa Floersheim		X		left with manager
46	The Little Place Boutique	W. side of John Dunn Shops	124 H Bent st	7/31/13	Beverly Strong		X		left survey
47	Coffee Cats	W. side of John Dunn Shops	124 F Bent St	7/31/13	Ayla Shipley		X		left survey
48	Common Thread	W. side of John Dunn Shops	120 Bent St	7/31/13	Dave Hardy	X			
49	G. Robinson Old Prints & Maps	W. side of John Dunn Shops	124 D Bent St	7/31/13					closed
50	Letherwerks	W. side of John Dunn Shops	124 B Bent St	7/31/13	Kristin Moore	X			

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
51	Moby Dickens Book shop	W. side of John Dunn Shops	124 A Bent St	7/31/13	Betty Palmer		X		left survey
52	Bent St. Deli	E. Side of John Dunn Shops	120 M Bent St	7/31/13	Jan Holfelder		X		left survey
53	Ammann Gallery	E. Side of John Dunn Shops	120 L Bent St	7/31/13	Diane Harris		X		artist who shows at this gallery left survey
54	Stepping Out	E. Side of John Dunn Shops	120 K Bent St	7/31/13	Cathy book		x		in the process of obtaining business - left survey
55	The Yarn Shop	E. Side of John Dunn Shops	120B Bent St	7/31/13	Christina Garcia	X			left survey
56	Coyote Moon	E. Side of John Dunn Shops	120 C Bent St						busy with customers -not able to deliver
57	Seconds Eco Store	E. Side of John Dunn Shops	120 D Bent St.	7/31/13	Ren Geerstein		X		owner on maternity leave will not be back for a month.
58	Clark & Company	E. Side of John Dunn Shops	120 E Bent St	7/31/13					closed
59	A Stitch in Time	E. Side of John Dunn Shops	Upstairs	7/31/13					closed
60	Mariposa Boutique	E. Side of John Dunn Shops	120 F Bent St	7/31/13	MaryAnn Baron		X		left survey

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
61	Chocolate & Cashmere	Bent St	130 Bent St	7/31/13	Jill		X		owner out of town - left survey
62	Earth & Spirit Gallery	Bent St	139 Bent St	7/31/13	Angelica		X		left survey
63	Heinley Fine Art	Bent St	111 Bent St	7/31/13					closed
64	Emily Benost Ruffin	Bent St	113 Bent St	7/31/13	Vicki		X		left survey
65	Artemisia	Bent St	115 Bent St	7/31/13	Kim		X		left survey
66	Ortenston Delattre Fine Art				Pierre				Would like to see mariachis around the plaza after 5pm.
67	Taos Cookery	Bent St	113 Bent St		Kary		X		left survey
68	Sams	Bent St	115 Bent St		Kathleen Fowler	X			likes the way the plaza looks arts and craft fairs don't bother her. Wants merchants to carry more Taos made.
69	Taos Artisans Co-op	Bent St	107 C Bent St		Karen Blair		X		left survey
70	Dwellings Revisited	Bent St	107 Bent St		Cam Martin		X		

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
71	FX18	Bent St	103 Bent St		Libby McAlister		X		Fairs don't bother her but Taos Fiestas bring in shoplifters
72	Mudd & Fludd	Bent St	103A Bent St		Christina Garcia	X			likes the way the plaza looks
73	La Chiripada Winery	Bent St	103 B Bent St.		Haley Vickey		X		left survey
74	Taos Blue	Bent St	103 Bent St		Rusty Gaston		X		left survey
75	Taos Adobe Quilting	NW Corner of Plaza	102 Teresina Ln	7/31/13	Edna Mares		X		left survey for owner Jan O'Donahue
76	Kimosabe	NW Corner of Plaza	108 Teresina	7/31/13	Robin Rea	X			left survey
77	Twirl	Camino de la Placita	225 Camino de la Placita	7/31/13	Laura		X		left survey for owner Nicki Ross
78	Reneux	W. Plaza	126 W. Plaza						Closed
79	Taos Rockers Mineral & Fossil Outlet	next to Twirl	229 A Camino de la Placita	7/31/13	Suni		X		left Survey for owner Anne Brenner
80	Cordon Y Cuero	across from Guadalupe Plaza	205 Camino de la Placita	7/31/13	Larry / Jaya Knapp	X			

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
81	Garden & Soul	NW corner entrance to Plaza	137 N. Plaza	7/31/13	Bob Deaver	X			
82	Geraint Smith Photography	Paseo del Pueblo Norte	110						closed
83	Parks Gallery	Paseo del Pueblo Norte	110 A						closed
84	Michael McCormick Gallery	Paseo del Pueblo Norte	106C		Micheal McCormick				
85	Graham's Grille	Paseo del Pueblo Norte	106D		Lynn		X		left survey
86	Taos Artist Collective	Paseo del Pueblo Norte	106		Bill		X		left survey
87	Lombardi	130 E Plaza		7/31/13 2:00pm	Carol & Ralph Lombardi	X			
88	Taos Gorge			7/31/13 2:00pm	Lisa Manzutto	X			
89	Robert Parsons Fine Art	131 Bent St			Robert Parsons				upset how the Town is marketed. Should market art collectors.
90	Milagro Collection	127 Bent St			Elizabeth		X		left survey

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
91	Renaissance	134 Bent St			David				arts and crafts fairs bring in only artist from our of town
92	Lambert's	123 Bent St			Lucinda				left survey
93	Taos Clay	Paseo del Pueblo Norte	110 A		Logan	X			just moved to this location from El Prado
94	Alley Cantina	121 Teresina Ln		7/31/2013	Aaron Hiemenz	X			
95	Jerry Mann Gallery	Bent St	136 Bent St		Sue Mann	X			does not like fairs
96	Antonios	122 Dona Luz		7/31/2013	Benina Roybal		X		left survey
97	Taos Cyclery	114 Dona Luz		7/31/2013	Doug Pickett	X			
98	El Gamal	112 Dona Luz		7/31/2013	Elad Greenvald	X			
99	Red Cat Melissiana	110 Dona luz		7/31/2013	Dionne De La Cruz		X		left survey
100	Taos Fiber Arts	108 A Dona Luz		7/31/2013	Julie / Ashley Cloutman	X			

	Business	Location	Address	Date / Site Visit	Contact / Name	Owner	Emp	Staff Initials	Notes
101	Substance	104 Dona Luz		7/31/2013	Jennifer Martin	X			
102	Monet's	124 Bent St		7/31/2013	Ivy Leslie		X		left survey



August 13, 2013

Title:

Arts and Crafts Fairs

Summary:

Consideration and possible approval to amend Resolution 11-06 regulating the use of Taos Plaza and Kit Carson Park and restricting arts and craft fairs to Kit Carson Park.

Background:

Requested by Councilmember Abeyta

Attachments:

Click to download

📎 [Resolution 11-06](#)



RESOLUTION 11-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TAOS SETTING THE DATES FOR THE ISSUANCE OF PERMITS FOR THE USE OF PUBLICLY OWNED PROPERTY BY COMMERCIAL EVENTS FOR CALENDAR YEAR 2011

WHEREAS, the Town Council seeks to encourage the use of publicly owned property for hosting commercial events during specific times of the year; and

WHEREAS, the Town Council encourages the use of Kit Carson Park and the Taos Plaza on non-holiday weekends to increase traffic during less active times; and

WHEREAS, numerous stakeholders within the community met over several months to attempt to achieve a consensus regarding the use of publicly owned property for commercial events and were unable to achieve consensus; and,

WHEREAS, the Arts and Cultural District and Community & Economic Development Department jointly issued a relevant report with certain recommended actions; and,

WHEREAS, the Town Council generally finds the recommendations contained in the report to have merit, and thus, sets forth such recommendations in this resolution; and,

WHEREAS, the Town Council prefers to set the calendar by resolution and will revisit the schedule on an annual basis to modify or reaffirm the dates by resolution;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Taos, meeting in Special Session, this 26th day of January, 2011, as follows:

Section 1: Commercial Events Defined: For the purposes of this resolution, a "Commercial Event" is defined as an organized gathering of individuals on publicly owned property or properties, having secured the proper permits and licenses from the Town of Taos to engage in hosting an event that charges for admission, is organized for the sale of goods and/or services, or similar type events.

Section 2: Withholding of Permits and Licenses: The Town Council of the Town of Taos has resolved to withhold the issuance of permits and licenses for conducting commercial events (as defined in section 1 of this resolution) at Kit Carson Park and Taos

Plaza for the dates of May 28, 2011 through May 30, 2011 and September 3, 2011 through September 5, 2011.

Section 3: Future Resolutions: The Town Council of the Town of Taos has resolved to annually set the calendar for the withholding of the issuance of permits and licenses for commercial events during the Town's annual organizational meeting held each January.


Section 4: Impact Analysis: In order to understand the potential economic impact of said calendaring of commercial events, the Town of Taos will evaluate the impact of the withholding of said permits and licenses to include a comparison to tax revenues generated over the past three years. In order for a realistic study to be completed, the calendar should remain relatively consistent for at least two (2) years.

APPROVED AND ADOPTED this 26th day of January, 2011 by the following vote:

Mayor Pro Tem Rudy C. Abeyta	<u>yes</u>
Councilmember A. Eugene Sanchez	<u>yes</u>
Councilmember Amy J. Quintana	<u>yes</u>
Councilmember Michael A. Silva	<u>yes</u>

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TOWN OF TAOS



Darren M. Cordova, Mayor

ATTEST:



Renee Lucero, Town Clerk

APPROVED AS TO FORM:



Allen Ferguson, Town Attorney



August 13, 2013

Title:

Resolution 13-39 Resolution of Civility

Summary:

Consideration and possible approval of Resolution 13-39 emphasizing the Mayor and Council's commitment to maintain civility in the conduct of the public's business.

Background:

Requested by Councilmember Andrew Gonzales

Attachments:

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📎 [Resolution](#)



Resolution 13-39

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF TAOS EMPHASIZING THEIR COMMITMENT TO MAINTAIN CIVILITY IN THE CONDUCT OF THE PUBLIC'S BUSINESS.

WHEREAS, our Town officials are the elected leaders closest to the people; and

WHEREAS, our elected officials are thus in a unique position of having a positive impact on behavior, both individually and collectively; and to lead by example; and

WHEREAS, as a cornerstone of democracy, Americans have observed certain rules of behavior generally known as civility; and

WHEREAS, civility can assist in reaching consensus on diverse issues, allows for mutually respectful ongoing relationships, can uplift our daily life and make it more pleasant to live in an organized society; and

WHEREAS, displays of anger, rudeness, ridicule, impatience, lack of respect, and personal attacks detract from the open exchange of ideas, prevent fair discussion of the issues, and can discourage individuals from participation in government; and

WHEREAS, public and political discourse often results in a confrontational atmosphere that prevents the development of solid solutions to the problems facing our communities; and

WHEREAS, civil and honest public discourse can help all individuals face up to the challenges facing their communities; and

WHEREAS, the Mayor and Town Council commit themselves to building an atmosphere in which each person's opinion is respected and public and political discourse are aimed at confronting the problems facing the community and not at those with whom some disagree.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF TAOS, NEW MEXICO,

Section 1. The foregoing recitals are true and correct.

Section 2. The Mayor and Council of the Town of Taos hereby commit themselves to maintain civility in their public and political discourse and hereby pledge their commitment to the following principles:

- Respect the right of all citizens in our community to hold different opinions;
- Avoid rhetoric intended to humiliate, illegitimize or question the wisdom of those whose opinions are different from theirs;
- Strive to understand differing perspectives;
- Choose their words carefully;
- Speak truthfully without accusation and avoid distortion; and
- Speak out against violence, prejudice and incivility in all of their forms, whenever and wherever they occur.

Section 3. The Mayor and Town Council hereby further pledge to exhibit and encourage the kinds of personal qualities that are emblematic of and predominate our communities and society in general; gratitude, humility, openness, passion for service to others, propriety, kindness, honesty, caring, faith, sense of duty, and a commitment to doing what is right.

Section 4. The Town Clerk is hereby directed and authorized to send a copy of this resolution to William Fulginiti, Executive Director of the New Mexico Municipal League.

PASSED, ADOPTED AND APPROVED THIS 13th DAY OF August, 2013.

Mayor Pro Tem Andrew T. Gonzales _____
 Councilmember Rudy C. Abeyta _____
 Councilmember Michael A. Silva _____
 Councilmember Frederick A. Peralta _____

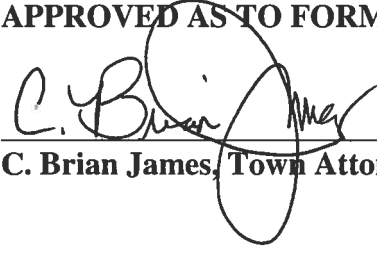
TOWN OF TAOS

Darren M. Cordova, Mayor

ATTEST:

Renee Lucero, Town Clerk

APPROVED AS TO FORM:



C. Brian James, Town Attorney



August 13, 2013

Title:

Interim Mayoral Appointment of Chief of Police

Summary:

Consideration and approval of Mayor Cordova's appointment of Sergeant David Weaver to the position of Interim Chief of Police pursuant to NMSA 1978, Section 3-11-1 et. seq.

Background:

With the departure of Chief Koch, it becomes necessary to appoint an Interim Chief to allow for a proper search of his replacement. Sergeant Weaver is an experienced public safety professional who has worked for the Town of Taos for six years as sergeant. Prior to his service in Taos, Mr. Weaver served as a captain in the Dona Ana sheriff's department for year where he gained expensive experience leading a command at least as large as the one he will be leading for the Town of Taos.

Attachments:

[Click to download](#)

No Attachments Available



August 13, 2013

Title:

Open Meetings Act in relation to the Town's talks with the County over E911

Summary:

Discussion of the Town's position with regard to the Open Meetings Act application to talks with the County over E911.

Background:

Attachments:

Click to download

📎 [Memo](#)

TOWN ATTORNEY'S COMMENTS ON THE OPEN MEETINGS ACT

The agenda item with regard to the Open Meetings Act (OMA) was placed on the agenda as a method of “curing” any misunderstandings resulting from a recent article appearing in the local press regarding a report that the Council had been “polled” regarding a “vote” of Council with regard to the relocation of the Town’s emergency dispatching site (relocation). I asked the publisher of the comment regarding the “poll” to clarify that there was nothing new upon which to “vote” with regard to the relocation. Council had previously voted in a public meeting to accomplish the relocation. Council had previously directed in a public meeting to have the Mayor and Town Manager continue to negotiate with the other existing members of the existing Joint Powers Agreement (JPA) regarding emergency dispatch toward a consolidated effort to providing the emergency dispatch services. Apparently the “polling” was done by the newspaper with regard to some aspect of those ongoing negotiations, particularly between the Town and Taos County.

My concern was that an individual, just reading in passing the newspaper article, could conclude that the Taos Council was deciding relocation issues behind the scenes which would violate the OMA had those behind the scenes decisions been occurring. This is a concern to the Town Attorney’s Office on two levels. The first is a matter of public perception as to how the Town Council conducts its business. This Mayor, Council and administrative team has taken great effort to make the Town government open and transparent and has taken unprecedented steps designed to increase that transparency rather than to reduce it.

My second concern is that the Town needs to accomplish the relocation as a goal set by Council and the other parties to the existing dispatch JPA dating back to 2004 as confirmed by a series of resolutions passed by the various JPA participant governing bodies and other governing bodies not included in the JPA to support the relocation.

My information has been:

- Relocating the emergency dispatch facility is a longstanding priority of the region.
- The current dispatch facility, wherever it is sited, is dependent upon the receipt of DFA grants to purchase equipment needed to operate and to upgrade the PSAP.
- It is unclear if the creation of additional PSAPs within Taos County will cause the DFA not to fund future needs for dispatch related equipment.
- If the Town were to lose access to the DFA grants not only would the Town’s residents lose the return of their “telephone tax” dollars but the Town would also have to pay additional funds to purchase the equipment otherwise funded by the return of the “telephone tax” dollars by the

DFA to the Town. Meanwhile the Taos “telephone tax” dollars would be distributed by the DFA to other qualifying New Mexico PSAPs not located in the Taos region.

The Town Attorney’s Office does not view litigation surrounding the existing PSAP in Taos as enhancing the Town’s ability to receive DFA grant funding but rather that such litigation could cause the Town to lose a cycle of funding or more while the litigation played out in the Courts. Since these annual grants from the DFA to the Town have run into the hundreds of thousands of dollars the risk of losing a cycle, or two, of DFA grant funds is substantial. The Town Attorney’s Office views the improvident use of words by the newspaper with regard to the OMA and the relocation negotiations as substantially increasing the likelihood of litigation as to the existing PSAP by creating a false impression that somehow the Town had violated the OMA in the process of negotiating the relocation with the JPA entities. While the Town Attorney does not think that such litigation would be successfully pursued, the existence of the litigation could have the impact described above. While it has been suggested that a newspaper cannot violate the OMA, the Town Attorney’s Office would suggest that aiding and abetting an outside “agent”, wittingly or unwittingly, to poll the Council to build behind the scenes consensus on a decision as to the relocation would clearly violate the OMA and to be sure, the Town has no way to prove the negative that an elected official did not so employ a newspaper reporter, or anyone else, to conduct such a poll on a vote

To obviate increased threat of PSAP litigation, the Town Attorney requested this agenda item to allow the Council to reiterate that it has taken a vote in an open, noticed and posted public meeting in support of the relocation and further that no issue with regard to the relocation is pending. This will establish that there was no “vote” pending that the Council could have discussed, and resolved, in private in violation of the OMA, or any other ethical provision that is on the books. While the position of the Town Attorney has been portrayed as an “abundance of caution”, given the stakes, it was deemed by this Office to fall into the “ounce of prevention” category which required a clearing of the air with regard to this very important matter. Please recall that emergency dispatch upgrades and improvements can literally be a matter of life and death and for that reason require special attention and extra caution. Therefore, while this Office regrets any inconvenience, given the same circumstances, the Office would pursue the same course it has taken.