

Town of Edgewood

Agenda

Regular

Tuesday, December 12, 2023 @ 6:00 PM

**Townhall of Edgewood Commission Chambers - 171A State
Rd. 344**

This meeting will be in person; however, we welcome members of the public to listen in and participate by joining online at: [Welcome to Edgewood, NM \(edgewood-nm.gov\)](https://www.facebook.com/TownOfEdgewoodNM). The meeting will also be live streamed on the Town of Edgewood Facebook Page at: <https://www.facebook.com/TownOfEdgewoodNM>.

If you are an individual with a disability who needs a reader; amplifier; qualified sign language interpreter; or any other form of auxiliary aid or service to attend or participate in the hearing or meeting; please contact the Clerk at the Town Offices located at 171 A State Rd. 344 at least three (3) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the Town Clerk at (505) 286-4518 or by e-mail at clerk@edgewood-nm.gov if a summary or other type of accessible format is needed. The complete Commission packet may be viewed on the web, visit <https://www.edgewood-nm.gov/index.php> and click on Government, then Agendas and Minutes.

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"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."

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- B. Jerry Powers
- C. Phil Anaya
- D. Sterling Donner
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- F. NM Self Insurer's Fund No-Cost Mediation for Governing Body Members (re: 2-year term of Mayor Jaramillo etc.) (Commissioner Jaramillo)
- G. Public Hearing on Ordinance 2023-013 - Cell Tower Ordinance (Manager McCracken) 44 - 47
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X. CLOSED SESSION

- A. As per Motion and Roll Call pursuant to NMSA 1978 Section 10-15-1(H)(2) - Discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; Specifically, Finance Manager and position (Manager McCracken)
- B. As per Motion and Roll Call pursuant to NMSA 1978 Section 10-15-1(H)(2) - Discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; Specifically, Town Clerk Contract (Manager McCracken)

- C. As per Motion and Roll Call Pursuant to NMSA 1978 Section 10-15-1(H)(7) - Meetings Subject to attorney client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant regarding pending litigation:
 - 1.) McGill et. al. v. John Bassett et. al.
 - 2.) Town of Edgewood v. Moriarty-Edgewood School District No. D-101-CV-2022-01955
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- H. Approval of the Restructuring of the Finance Department (Manager McCracken)
- I. Discussion and Action on Purposes of Old Town Hall (Manager McCracken)

XII. PUBLIC COMMENTS

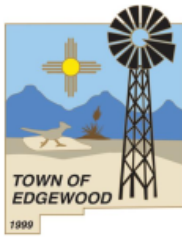
XIII. FUTURE MEETINGS

- A. Regular Commission Meeting December 26th, 2023 @ 6pm in the Town of Edgewood Commission Chambers
- B. Regular Commission Meeting January 16th, 2024 @ 6pm in the Town of Edgewood Commission Chambers
- C. Regular Commission Meeting January 30th, 2024 @ 6pm in the Town of Edgewood Commission Chambers

XIV. FUTURE EVENTS

- A. Holiday Movie Bingo at Edgewood Community Library - December 16th, 2023
- B. Pokémon Tournament at Edgewood Community Library - January 13th, 2024

XV. ADJOURN



Town of Edgewood

Minutes

Regular

Tuesday, November 14, 2023 @ 6:00 PM

Townhall of Edgewood Commission Chambers - 171A State Rd. 344

I. WELCOME, INTRODUCTION, & ROLL CALL

The meeting was called to order at 6:04pm

Roll Call: Commissioner Anaya - Present

Commissioner Brennan - Present

Commissioner Donner - Present

Commissioner Jaramillo - Present

Commissioner Powers – Present

Staff Present: Town Manager Nina McCracken, Clerk Rachel Martinez, Police Chief Roger Jimenez, IT Administrator Noah Miller.

II. AGENDA APPROVAL (TIMESTAMP 3:45)

Motion – Commissioner Anaya made the motion to approve the agenda removing item S.

Second – Commissioner Powers seconded the motion.

Discussion – Commissioner Jaramillo suggested keeping the item on the Agenda and brief to allow for public comment on the item.

Commissioner Powers agreed to remove this item until more information is received.

Commissioner Anaya stated there is evidence he is waiting for an opinion on from legal counsel for this item.

Commissioner Donner asked if there is more information to be discussed.

Commissioner Brennan stated if the public took their time to be at the meeting, to comment on this item, the Commission should listen to them.

Commissioner Anaya called the question.

Commissioner Powers seconded.

All Commissioners voted Aye.

Vote – Commissioner Anaya – Aye

Commissioner Donner – Nay

Commissioner Jaramillo - Nay

Commissioner Powers – Aye

Commissioner Brennan – Nay

Motion Failed 2 to 3

Motion – Commissioner Jaramillo made the motion to approve the agenda as is.

Second – Commissioner Donner seconded the Motion.

Vote – Commissioner Anaya – Nay

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 4 to 1

III. **PUBLIC COMMENT ON AGENDA ITEMS (TIMESTAMP 15:37)**

Steve Woodard – Donated time to Kelly Tanis

Mike Davisson – Donated time to Karen Davisson

Karen Davisson – Rainbow Road

Mark Campbell – Go Bond Funds on Rainbow Road

Teresa Benton – Item E Legal and Attorney Fees

Treasurer Manzanares – Property Tax Outreach

Rick McMarlin – Rainbow Road

Barbara McMarlin – Donated time to Richard McMarlin

Kelly Tanis – Rainbow Road

Craig Trnka – Rainbow Road

Christine Trnka – Donated time to Craig Trnka

IV. **CONSENT AGENDA (TIMESTAMP 36:36)**

a. Approve/Amend/Disapprove Minutes

i. October 24th, 2023

Motion – Commissioner Powers made the motion to approve the Consent Agenda.

Second – Commissioner Anaya seconded the motion.

Vote – Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo – Abstained from vote due to absence at meeting.

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Passed 4 to 0

V. **MATTERS FROM THE COMMISSIONERS (TIMESTAMP 38:11)**

a. Audrey Jaramillo – Discussed Swearing in Ceremony and deadlines according to state statute; Congratulated the newly elected Commissioners from the Local Election; Gave her thoughts and prayers to Ribs Barbecue due to the recent tragedy they have experienced.

b. Jerry Powers – Had comments on Rainbow Road but, saved them for the item pertaining to the issue on the agenda.

c. Phil Anaya – No comments.

d. Sterling Donner – Gave his prayers to the Gunter family.

e. Kenneth Brennan – Gave prayers to the Gunter family and all the employees at Ribs during this difficult time; Thanked everyone who voted in the election and congratulated the winning candidates; Thanked the Parks and Rec Department for their amazing job at the Trunk or Treat event.

VI. **MATTERS FROM THE CLERK**

Commented on the unofficial election results and congratulated the winners; Discussed the issues with the December 26th meeting and the possibility of canceling or rescheduling the meeting.

VII. **MATTERS FROM THE CHIEF OF POLICE**

Commented on the Santa Fe County OME Task Force and will provide the recommendations to Clerk Martinez for the Public's reference at the next meeting.

VIII. **MATTERS FROM THE TOWN MANAGER**

Commented on the Comp Plan for the Town, the large amount of grease that wastewater has been seeing, the library book sale, the Finance Department and the audit, issues with Town cameras, Dumpster Day, and current RFP's the Town gone out for. She also allowed CDM Smith to present on Wastewater, and Parks and Rec Administrator, Jimmy Martinez to present on Dumpster Days to

the Commission. Lastly, she mentioned issues with the January 8th meeting and MOLI Training and the Commission agreed to move the January 8th, 2024, to January 16th, 2024.

IX. DISCUSSION AND ACTION ITEMS (TIMESTAMP 01:36:18)

Motion – Commissioner Powers made the motion to move item S to before Item A.

Second – Commissioner Anaya seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

S. Discussion regarding the use of the Remaining 2014 Go Bond Funds on Rainbow Road.
(Commissioner Jaramillo)

The Commission discussed the use of the remaining 2014 Go Bond Funds on Rainbow Road.

A. Public Hearing: Ordinance 2023-011 An Ordinance Amending Ordinance No. 2008-02 Establishing a Public Library and Library Advisory Board (Manager McCracken and Library Operations Manager Brandyn Burke)

There were no Public Comments for the Public Hearing on Ordinance 2023-011.

Motion – Commissioner Jaramillo made the motion to approve Ordinance 2023-011 An Ordinance Amending Ordinance No. 2008-02 Establishing a Public Library and Library Advisory Board with the removal of the word Mayoral in Item 2.1 D to read “Commission Appointment and Approval”

Second – Commissioner Powers seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

B. Public Hearing: Ordinance 2023- 012 ATV/OHV Ordinance (Commissioner Powers)

Motion – Commissioner Powers made the motion to approve Ordinance 2023-012 ATV/OHV Ordinance Redline.

Second – Commissioner Anaya seconded the motion.

Public Comment – “iPhonya” - Commented on the Ordinance being hard to understand and Chief Rodger Jimenez offered to sit down with her and go through the Ordinance personally.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

C. Certification of Town's 6/30/2023 Capital Assets Listing (Commissioner Jaramillo)

Motion – Commissioner Brennan made the motion to approve the Certification of Town’s 6/30/2023 Capital Assets Listing

Second – Commissioner Powers seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

- D. Creation of a Part-Time Community Outreach/Public Relations Employment Position and Job Description. (Commissioner Donner)

Motion – Commissioner Donner made the motion to have Manager McCracken come up with a Job Description for a Part Time Community Outreach/Public Relations Position and accepting the friendly amendment from Commissioner Powers to use the Money from the current open Project Manager position to fund the new position.

Second – Commissioner Anaya seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Nay

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 4 to 1

- E. Breakdown of Attorney and Legal Fees (Commissioner Donner)

Commissioner Donner presented a breakdown of the attorney and legal fee’s being spent by the Town of Edgewood.

- F. Verkada Security Proposal for Edgewood Police Department, Edgewood Community Library, and Edgewood Animal Control. (Manager McCracken and IT Manager Noah Miller.

A representative from Verkada presented all of the security camera options they have to offer and how these cameras can benefit the Town of Edgewood.

Motion – Commissioner Powers made the motion to move Item P and Item N up to the next two items on the Agenda.

Second – Commissioner Brennan Seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

- P. Resolution 2023-046 - Town of Edgewood 2024 Holiday Calendar (Manager McCracken)

Motion – Commissioner Donner made the motion to approve Resolution 2023-046 - Town of Edgewood 2024 Holiday Calendar with the friendly amendment from Commissioner Jaramillo to Change Juneteenth to National Emancipation Day.

Second – Commissioner Powers Seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

N. Call for Public Hearing on Ordinance 2023- __ - Cell Tower Ordinance (Manager McCracken)

Motion – Commissioner Brennan made the motion to call for a Public Hearing on Ordinance 2023 __ Cell Tower ordinance on December 12th, 2023

Second – Commissioner Donner Seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

G. Approval of the Installation of a Safe Haven Baby Box in the Town of Edgewood (Commissioner Brennan and Commissioner Jaramillo)

Motion – Commissioner Powers made the motion to have the Town Manager and Commissioner Brennan begin working with the Fire Department and to have the Town Clerk begin the paperwork for the funding to have a Safe Haven Baby Box installed in the Town of Edgewood.

Second – Commissioner Jaramillo Seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

H. Presentation from P&Z Manager Brad Hill on recent abatements. (Manager McCracken)

Moved to November 28th 2023 meeting.

I. Presentation from P&R Advisory Committee Member K.R. Scott on Senior Community Involvement.(Manager McCracken)

Moved to November 28th 2023 meeting.

J. Approval of MOU between the Town of Edgewood and the Friends of the Library for use of the Book Barn (Manager McCracken)

Moved to November 28th 2023 meeting.

K. Approval of MOU Between the Town of Edgewood and MRCOG for Edgewood Junior Bill 23-ZH9296 (Manager McCracken)

Moved to November 28th 2023 meeting.

L. Appointment of Christopher Barrett to the Library Advisory Board Alternate Position (Manager McCracken and Library Operations Manager Brandyn Burke)

Moved to November 28th 2023 meeting.

M. Approval of MOU GSD/FMD LRN# 2023-0091 Between the Town of Edgewood and the State Fire Marshall Regarding Use of the Old Town Hall Building. (Manager McCracken)

Moved to November 28th 2023 meeting.

O. Approval of edits to the Town of Edgewood Personnel Policy Manual (Manager McCracken)

____Initials

Moved to November 28th 2023 meeting.

Q. Approval of Sun Vista Outdoor Advertising LLC Agreement (Manager McCracken)

Moved to November 28th 2023 meeting.

R. Discussion Regarding Old Town Hall Proposal and Plan (Commissioner Donner)

Moved to November 28th 2023 meeting.

X. CLOSED SESSION (TIMESTAMP 03:20:20)

A. As per Motion and Roll Call pursuant to NMSA 1978 Section 10-15-1(H)(8) - Meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body - Specifically, discussion considering a Land Swap Between the Town of Edgewood and EPCORE (Commissioner Donner)

Motion – Commissioner Powers made the motion to have all unfinished items except Item H, per the request from Planning and Zoning Administrator Brad Hill, to be moved in the order that they are currently to the next agenda and the Commission to go into Closed Session as per Motion and Roll Call pursuant to NMSA 1978 Section 10-15-1(H)(8)

Second – Commissioner Donner seconded the motion.

Roll Call Vote – Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo – Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

The Commission went into Closed Session at 9:22pm.

Motion – Commissioner Powers made the motion to come out of Closed Session.

Second – Commissioner Donner seconded the motion.

Roll Call Vote – Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo – Aye

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion Carried 5 to 0

The Commission returned to Open Session at 9:36pm.

Commissioner Brennan affirmed that only items on the agenda under Closed Session were discussed and no decisions were made.

Commissioner Donner so affirmed.

Commissioner Powers so affirmed.

Commissioner Anaya so affirmed.

Commissioner Jaramillo so affirmed.

Motion – Commissioner Donner made the motion to have Manager McCracken and Planning and Zoning Manager Brad Hill obtain appraisals on the two pieces of property that were discussed.

Second – Commissioner Powers seconded the motion.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye
Commissioner Jaramillo – Aye
Commissioner Powers – Aye
Commissioner Brennan – Aye
Motion Carried 5 to 0

XI. PUBLIC COMMENTS

No Public Comments.

XII. ADJOURN

Motion – Commissioner Powers made the motion to Adjourn the meeting.

Second – Commissioner Anaya seconded the motion.

Vote – Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo – Aye.

Commissioner Powers – Aye

Commissioner Brennan – Aye

Motion carried 5 to 0

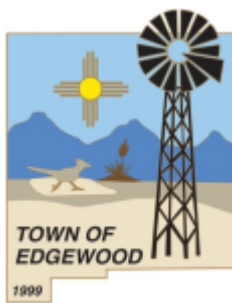
The meeting was Adjourned at 9:38PM.

PASSED, APPROVED, and ADOPTED this 12th day of December 2023.

Ken Brennan, Mayor

ATTEST:

Rachel Martinez, Clerk



Town of Edgewood
Minutes
Tuesday, November 28, 2023, 6:00

I. WELCOME, INTRODUCTION, & ROLL CALL

The meeting was called to order at 6:03 pm.

Roll Call: Commissioner Anaya – Present
Commissioner Brennan – Present
Commissioner Donner – Present
Commissioner Jaramillo – Present
Commissioner Powers – Present

Staff Present: Town Manager Nina McCracken, Clerk Rachel Martinez, Lieutenant David Lovato, IT Administrator Noah Miller.

A. Invocation

B. Pledge of Allegiance

C. NM Flag Salute

“I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures.”

II. AGENDA APPROVAL

Motion – Commissioner Powers made the motion to approve the agenda postponing items 11B, 11C, and 11G to the February 6th meeting.

Second – Commissioner Anaya

Discussion - The Commissioners, including Commissioner Elect Milligan, discussed the urgency of items 11B, 11C and 11G and the amount of time these items will take to discuss. The Commission discussed whether they should be addressed at the current Commission meeting or if they should be moved to the first February Commission Meeting.

Motion - Commissioner Jaramillo motioned to call the question.

Second - Commissioner Powers

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

Vote - Commissioner Anaya – Aye

Commissioner Donner – Nay

Commissioner Jaramillo - Nay

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 3 to 2

III. PUBLIC COMMENTS ON AGENDA ITEMS

Tom Sullivan - Commented on MESD and Commissioners

Sherry Abraham - Commented on length of agendas, legal fees, and consideration of citizens time who are in attendance at the meetings.

IV. CONSENT AGENDA

A. Approve/Amend/Disapprove Minutes

i. November 14th, 2023

Motion – Commissioner Donner made the motion to approve the consent agenda.

Second – Commissioner Powers

Discussion -

Motion - Commissioner Jaramillo made the motion to have the Clerk add more context to all items in the minutes that were for information purposes only and to add time stamps and bring them back to the next meeting for approval.

Second - Commissioner Donner

Discussion - The Commissioners discussed summaries for items that were solely for discussion in the Meeting Minutes and what is required according to the Town of Edgewood Operating Resolution.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

V. MATTERS FROM THE COMMISSIONERS

A. Audrey Jaramillo

Stated she would like to see reports from all departments in the agenda packets..

B. Jerry Powers

Stated he agrees that the agendas are too long and explained the process for formulating the agenda; stated he is happy to see that the road department will be recognized tonight.

C. Phil Anaya

Explained why he was in attendance virtually.

D. Sterling Donner

Commented on the Gunter Family funeral that took place today.

E. Ken Brennan

Commented that the Gunter family are amazing people.; Hoped everyone had a happy Thanksgiving; Presented certificates of appreciation to the road department, maintenance department, and planning and zoning department.

VI. MATTERS FROM THE CLERK

Commented on the Santa Fe County OEM Task force presentation that will be taking place at the next Commission Meeting; presented information on the swearing in of the new Commissioners; updated on the baby box grant discussed at the last Commission meeting.

VII. MATTERS FROM THE CHIEF OF POLICE

Lieutenant David Lovato sat in for Chief Rodger Jimenez. He had no matters but stood for questions.

VIII. MATTERS FROM THE TOWN MANAGER

Thanked Town staff for their hard work; mentioned the Independent in back up and running; commented on the pedestrian bridge, the interchange project, and Horton Road; thanked the Town Clerk; introduced Planning and Zoning Manager Brad Hill who then gave updates on the comp plan; Introduced Parks and Rec Administrator Jimmy Martinez who then presented the plans for the Christmas Tree Lighting event on December 2nd.

IX. DISCUSSION AND ACTION ITEMS

- A. Presentation from P&R Advisory Committee Member K.R. Scott on Senior Community Involvement and Equestrian Center Issues (Manager McCracken)

K.R. Scott presented on senior community involvement and Equestrian Center Issues.

Motion – Commissioner Jaramillo made the motion to allow the Parks and Recreation Advisory Board to move forward with the Senior Community Involvement Proposal

Second – Commissioner Powers

Discussion - The Commission discussed if the proposal and funding sources will be brought back to the Commission to be approved.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

- B. Approval of MOU between the Town of Edgewood and the Friends of the Library for use of the Book Barn (Manager McCracken)

Manager McCracken stated she needs to find the fair market value for rental of the Book Barn, and requested this item be brought back once that is done.

- C. Approval of MOU Between the Town of Edgewood and MRCOG for Edgewood Junior Bill 23-ZH9296 (Manager McCracken)

Motion – Commissioner Donner made the motion to approve the MOU between the Town of Edgewood and MRCOG for Edgewood Junior Bill 23-ZH9296

Second - Commissioner Powers

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

- D. Appointment of Christopher Barrett to the Library Advisory Board Alternate Position (Manager McCracken and Library Operations Manager Brandyn Burke)

Motion – Commissioner Donner made the motion to appoint Christopher Barrett to the Library Advisory Board Alternate position.

Second – Commissioner Powers

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

- E. Approval of MOU GSD/FMD LRN# 2023-0091 Between the Town of Edgewood and the State Fire Marshall Regarding Use of the Old Town Hall Building. (Manager McCracken)

Motion – Commissioner Powers made the motion to direct the Town Manager to look for alternative facilities the State Fire Marshall would be able to utilize.

Second – Commissioner Jaramillo

Discussion - The Commissioners discussed how this use for the old Town Hall is not compatible with the planned uses the Town has for that building.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

- F. Approval of edits to the Town of Edgewood Personnel Policy Manual (Manager McCracken)

Motion – Commissioner Donner made the motion to approve the edits to the Town of Edgewood Personnel Policy Manual

Second – Commissioner Powers

Discussion - The Commission discussed holiday pay for the Edgewood Police Department.

The Motion and Second was withdrawn by Commissioner Donner and Commissioner Powers.

Motion – Commissioner Donner made the motion to approve the edits to the Town of Edgewood Personnel Policy Manual and to remove the section regarding flex time on page 14.

Second – Commissioner Brennan

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

- G. Approval of Sun Vista Outdoor Advertising LLC Agreement (Manager McCracken)

Motion – Commissioner Powers made the motion to approve the Sun Vista Outdoor Advertising LLC Agreement.

Second – Commissioner Donner

Discussion - Manager McCracken explained the discrepancies with the dates in the agreement.

Vote - Commissioner Anaya – Aye

Commissioner Donner – Aye

Commissioner Jaramillo - Aye

Commissioner Powers – Aye

Commissioner Brennan -Aye

Motion Carried 5 to 0

- H. Discussion Regarding Old Town Hall Proposal and Plan (Commissioner Donner)

Ms. Shelly Hutchinson presented the proposal and plan for the old Town Hall. It was decided to bring this item back for approval at the December 12th, 2023, meeting.

X. CLOSED SESSION

- A. As per Motion and Roll Call pursuant to NMSA 1978 Section 10-15-1(H)(2) - Discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; Specifically, Finance Specialist and Animal Care Tech Positions (Manager McCracken and Commissioner Jaramillo).
- B. As per Motion and Roll Call Pursuant to NMSA 1978 Section 10-15-1(H)(7) - Meetings Subject to attorney client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant regarding pending litigation McGill et. al. v. John Bassett et. al. and Town of Edgewood v. Moriarty-Edgewood School District No. D-101-CV-2022-01955 (Commissioner Powers).
- C. As per Motion and Roll Call pursuant to NMSA 1978 Section 10-15-1(H)(7) - Meetings Subject to attorney client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant regarding IPRA violation Huppertz Case (Commissioner Powers)

Motion - Commissioner Powers made the motion to go into Closed Session.

Second - Commissioner Donner

Vote - Commissioner Anaya – Aye
Commissioner Donner – Aye
Commissioner Jaramillo - Aye
Commissioner Powers – Aye
Commissioner Brennan -Aye

Motion Carried 5 to 0

The Commission went into Closed Session at 8:51pm.

Motion - Commissioner Powers made the motion to come out of Closed Session.

Second - Commissioner Donner

Vote - Commissioner Anaya – Aye
Commissioner Donner – Aye
Commissioner Jaramillo - Aye
Commissioner Powers – Aye
Commissioner Brennan -Aye

Motion Carried 5 to 0

The Commission came out of Closed Session at 9:52pm.

Commissioner Brennan affirmed that only the items under Closed Session were discussed and no decisions were made.

Commissioner Anaya so affirmed

Commissioner Donner so affirmed

Commissioner Jaramillo so affirmed

Commissioner Powers so affirmed

XI. DISCUSSION AND ACTION ITEMS

A. Discussion and Action on Closed Section Items Above.

Motion - Commissioner Powers made the motion to direct the Town Attorney, Frank Coppler, to participate in the Cheryl Huppertz matter and keep the Commission updated; to have the Town Manager set up mediation with the Moriarty Edgewood School District in January or February, and to have Commissioner Powers and Mayor Brennan meet with the New Mexico Self Insurers Fund and/or the New Mexico Municipal League to work out current communication issues.

Second - Commissioner Anaya

Motion - Commissioner Jaramillo made the motion to reach out to the Moriarty Edgewood School District immediately and not limit the setup of mediation to time frames.

Second - Commissioner Donner

Commissioner Jaramillo withdrew her motion due the Moriarty Edgewood School District not being available for mediation until January or February.

Motion - Commissioner Jaramillo made the motion to have the Town Manager involved in all Communications including emails, discussions, phone calls and meetings with the New Mexico Municipal League.

Second - Commissioner Donner

Vote - Commissioner Anaya - Nay
Commissioner Donner - Aye
Commissioner Jaramillo - Aye
Commissioner Powers - Nay
Commissioner Brennan - Nay

The Motion failed 2 to 3.

Motion - Commissioner Brennan made the motion that the Town Manager be notified of all communications between affected parties.

Second - Commissioner Donner

Vote - Commissioner Anaya - Aye
Commissioner Donner - Aye
Commissioner Jaramillo - Aye
Commissioner Powers - Aye
Commissioner Brennan - Aye

The Motion carried 5 to 0.

Vote - Commissioner Anaya - Aye
Commissioner Donner - Aye
Commissioner Jaramillo - Aye

Commissioner Powers - Aye

Commissioner Brennan - Aye

The Motion carried 5 to 0.

- B. Reconsideration and Action on Use of Remaining 2014 GO Bond Funds due to new information provided by community members on allegations regarding violations of the Anti-Donation Clause of the State of New Mexico Constitution, NM Governmental Conduct Act, Town Ethics Ordinance, and Bond Limitations. (Commissioner Jaramillo)
Moved to February 13th, 2024 meeting.
- C. Resolution 2023 -044 Town Attorney and Legal Services. (Commissioner Donner and Commissioner Jaramillo).
Moved to February 13th, 2024 meeting.
- D. Selection and approval of dates for a Special Meeting for swearing-in ceremony for Commissioners Elect. (Commissioner Powers)
Moved to December 12th, 2023 meeting.
- E. Approval for the Town of Edgewood to begin Procurement for Security Camera System for Edgewood Police Department, Edgewood Animal Control, and Edgewood Community Library. (Commissioner Powers)
Moved to December 12th, 2023 meeting.
- F. Approval of Reclassification of Program Manager Position to Community Outreach/Public Relations Position and Approval of Community Outreach/Public Relations Job Description (Commissioner Donner)
Moved to December 12th, 2023 meeting.
- G. Appointment of Town Attorney and Assignments to Cases (Commissioner Jaramillo)
Moved to February 13th, 2024 meeting.
- H. Call for Public Hearing 2023 - ___ Ordinance of Prohibition and Disclosure of Financial Interests and Conflicts of Interests (Commissioner Jaramillo)
Moved to December 12th, 2023 meeting.
- I. NM Self Insurer's Fund No-Cost Mediation for Governing Body Members (re: 2-year term of Mayor Jaramillo etc.) (Commissioner Jaramillo)
Moved to December 12th, 2023 meeting.

XII. ADJOURN

Motion - Commissioner Powers made the motion to adjourn the meeting.

Second - Commissioner Anaya

Vote - Commissioner Anaya - Aye

Commissioner Donner - Aye

Commissioner Jaramillo - Aye

Commissioner Powers - Aye

Commissioner Brennan - Aye

The Motion carried 5 to 0

The Meeting was Adjourned at 10:06pm.

PASSED, APPROVED, and ADOPTED this 12th day of December 2023.

ATTEST:

Kenneth Brennan, Mayor

Rachel Martinez, Clerk

Santa Fe County, NM *Office of Emergency Management*



Presentation to Santa Fe Board of County
Commissioners

November 14, 2023

M.C. (Mike) Dubé

Federal Engineering, Inc.
“Unleashing the Power of Technology”



AGENDA ITEM #VII.A.

Project Timeline



- 31 March 2023 - Purchase Order received from Santa Fe County pursuant to Federal Engineering proposal dated March 8th.
- 19 April – Initial Request for Information submitted.
- 22 May – Project Kick-off meeting.
- 25 May to 5 June – Virtual and on-site data gathering and interviews of Task Force and County staff.
- 13 July – Deliver DRAFT Current Conditions (Phase 1)
- 18 August – Task Force Briefing on Current Conditions
- 6 October - Deliver DRAFT Assessment and Recommendations Report (Phases 2 and 3)
- 24 October – Task Force Briefing on Assessment and Recommendations



Project Overview



Project Scope Review

Phase 1—Current Conditions Analysis

Phase 2—Staffing, Operations, and Technical Review

Phase 3—Assessment and Recommendations Report

Presentation Focus

Assessment and Recommendations Report – *Present Summary of Findings*



Overview of Summary



Summary of Findings and Recommendations

- **Assessment focus areas as per the Statement of Work:**
 - Staffing
 - Operations
 - Technical/(Technology)
 - Governance
- **Recommendations**
 - 45 consolidated and presented in Section 6
 - 10 should receive immediate attention



Key Findings - Assessment



● Staffing

- Current authorized staffing of 4 FTE is appropriate
- Core function responsibilities TBC after review
- Staff Development / Training
 - Internal vs External
 - Internal – unstructured, not aligned with existing, available programs (e.g. FEMA's Emergency Management Professional Program (EMPP))
 - External – little training for County staff
 - No succession planning strategy
 - Professional EM certification / staff skills



Key Findings - Assessment



● Operations

- Conflicting roles of EM and Special Ops (Rehab, Tech Rescue, Wildland)
- Insufficient attention to EM core functions
- Inadequate EOC structure, staffing, preparedness
- Focus on responding
- Distribution of and access to response resources (vehicles and equipment)
- Not structured/staffed for 24/7 protracted events



Key Findings - Assessment



● Technical / Technology

- Resource management practices
 - Incomplete inventory
 - Disposal
- Procurement process
- Vehicle strategy
- Compatibility with existing equipment
- Maintenance/sustainment/life-cycle, training, usage



Key Findings - Assessment



● Governance

- No oversight / steering committee
- No strategic level planning or guidance
- Chain of Command / access to leadership



Key Recommendations

- 45 recommendations
- Not an exhaustive list – achievable
- List is linked/cross-referenced to assessment / observation sections – at least 1 in each
- There are 10 recommendations deemed to warrant immediate attention (highlighted in red)

Key Recommendations



- Review or create all enabling ordinances needed to support the Emergency Management program
- Review the current Fire organizational structure and separate the Emergency Management and response functions. The response functions (Rehabilitation, Technical Rescue, Wildland) should remain within the Fire Department



Key Recommendations



- The OEM be removed from the Fire Department and established as a separate County department and function, reporting to the County leadership
- The County and OEM collaborate on a program-based strategic planning initiative that evaluates goals, objectives, performance metrics, and accomplishments from a comprehensive emergency management perspective



Key Recommendations



- Establish an oversight or steering/advisory committee for the emergency management program, who should hold regular meetings to review plans, procedures, training and exercise opportunities
- Engage in a thorough planning process to create an updated EOP that follows federal planning doctrine to enable the County to better manage large-scale and complicated incidents



Key Recommendations



- As part of developing a comprehensive and complete EOP, OEM engage in a collaborative planning process to ensure that all relevant emergency functions are developed and included in the EOP
- Engage in a multi-year training and exercise planning (MYTEP) process in order to develop a MYTEP plan, using a strategic approach to emergency operations capacity building that includes all County departments



Key Recommendations



- Complete an inventory and review of the current emergency management and EOC procedures, including departmental emergency procedures county-wide in a coordinated effort to identify gaps, conflicts, and areas in need of updates
- Each position in the EOC is filled two deep, and if possible, three deep to ensure there is always someone available



Conclusion



QUESTIONS AND DISCUSSION



Santa Fe County, NM

Office of Emergency Management



Federal Engineering

Thanks you for this Opportunity



ORDINANCE 2023-010

AN ORDINANCE AMENDING THE 2004-1 ORDINANCE; ~~COMPENSATION OF THE MAYOR OF THE TOWN OF EDGEWOOD, NEW MEXICO~~, PROVIDING FOR A SALARY FOR ~~COUNCILORS COMMISSIONERS~~ AND THAT ~~THE MAYOR OR A COUNCILOR COMMISSIONERS~~ MAY, BY WRITTEN WAIVER, DECLINE TO ACCEPT HIS OR HER SALARY, IN WHOLE OR IN PART.

WHEREAS, Section 1 of the 2004-1 Ordinance adopted January 2004 provides a compensation rate for the salary of the Mayor; and

WHEREAS, to reduce Town expenses incurred for salary payments during times of economic distress or uncertainty and for other good and sufficient reasons, which need not be publicly disclosed, ~~the Mayor or a Councilor the Commissioners~~ may from time to time wish to waive the payment of and not receive the salary or other compensation that might otherwise be due to him or; and

WHEREAS, the Town ~~Council~~Commission, the governing body of the Town, finds that the 20~~12~~04-24 Ordinance should be amended to accommodate the salary or other compensation; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Edgewood, New Mexico, that:

Section 1. Ordinance 2004-1 shall be, and hereby is, amended to read in its entirety:

a. The following compensation rates shall apply in the Town:

- 1) Mayor: Salary of \$1000.00 per month
- 2) ~~Commissioners~~Councilors: _____ Salary of ~~\$1000.00~~400.00 per month
- 3) Municipal Judge: Salary of \$1000.00 per month
- 4) The ~~Mayor, or Councilor may~~ Commissioners, in his or her absolute discretion, waive payment of and decline to receive the compensation provided in the foregoing section. Any such waiver of compensation shall be in accordance with a written waiver executed by ~~the Mayor or Councilor~~the Commissioner stating the term during which the waiver shall be in effect and the amount or portion of the compensation waived. Such waiver may be revoked in writing at any time, as to payments of compensation yet to be made, but such revocation shall not in any event revive or reinstate the right to receive payment of compensation that would have been due during the period of waiver prior to such revocation, the waiver of compensation being absolute and irrevocable during the time that the waiver is in effect.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Town of ~~Edgewood~~Edgewood hereby declares that it would have ~~pe~~assed this Ordinance and each section.

subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Town of Edgewood, New Mexico, this 28th day of November 2023 ~~17TH day of October, 2012~~ as amended.

~~Honorable Brad Hill~~ Mayor

ATTEST:
Clerk ~~Treasurer~~



PO Box 30905 Albuquerque, NM 87190
P: 505-881-6266 F: 505-588-2922

AGENDA ITEM #15-C
SALES QUOTE

Sales Quote No: QT1005
Date: 10/20/23
Account No: CO26

Bill To: City Of Edgewood
171 New Mexico 344

, NM 87015
USA

Ship To: City Of Edgewood
171 New Mexico 344

, NM 87015
USA

Sales Person	P.O. Number	Ship Method	Payment Terms	Quote Expires On
Thomas Key		Drop Shipment		11/19/23

Notes

CES Contract: 2023-20-C112-ALL. Edgewood Animal Control with Install. Includes 1 year software license. No additional monthly or equipment replacement costs. 10 Year warranty on all equipment. +Tax unless Tax exempt certificate on file.

Installation Includes:

- 1 - Installation of Verkada sensors
- 6 - Installation of Verkada cameras w/mounts
- 7 - CAT 6 cable drops for sensors / cameras / intercom
- 7 - RJ45 CAT 6 ends
- All CAT 6 cables, cameras, and sensors tested to confirm functionality
- Setup of devices in Verkada Command

Edgewood to self install 3 Cameras to be placed at other locations.

Sale on equipment ends October 31st. Cost Savings \$1209.09

Item No	Description	Quantity	UM	Price	Disc	Amount
CD42-256-HW	CD42 Indoor Dome Camera, 256GB	2.00	Each	\$999.00	0.30	\$1,398.60
0003	CD42-256E-HW CD42-E Outdoor Dome Camera, 256GB, 30 Days Max	4.00	Each	\$1,199.00	0.30	\$3,357.20
CB52-256TE-HW	CB52-TE Outdoor Bullet Camera, 256GB	1.00	Each	\$1,499.00	0.30	\$1,049.30
CF81-30E-HW	CF81-E Outdoor Fisheye Camera, 512GB	2.00	Each	\$1,999.00	0.30	\$2,798.60
SV23-HW	Verkada SV23 Environmental Sensor	1.00	Each	\$999.00	0.30	\$699.30
0000	WiredNM Installation	1.00	Each	\$2,391.33	0.00	\$2,391.33
0003	LIC-1Y 1-Year Camera License	9.00	Each	\$199.00	0.30	\$1,253.70
LIC-SV-1Y	Verkada 1-year sensor license	1.00	Each	\$249.00	0.50	\$124.50

Don't forget...you can now sign up for online access to your account. Just visit nubegrp.com and click on E-Info Customer Portal. You can self register and its free. Submit meter reads, pay invoices, view features of your account and much more!!

Subtotal	\$13,072.53
Discount	\$0.00
Freight	\$170.00
Sales Tax	\$0.00
Sales Order Total	\$13,242.53



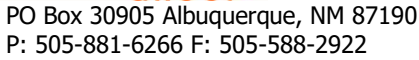
Sales Quote No: QT1009
Date: 10/25/23
Account No: C026

, NM 87015
USA

, NM 87015
USA

Notes
CES Contract: 2023-20-C112-ALL. Edgewood Library. Includes 1 year software license. No additional monthly or equipment replacement costs. 10 Year warranty on all equipment. Installation Includes: • 16 - Installation of Verkada cameras w/mounts • 16 - CAT 6 cable drops for cameras • 16 - RJ45 CAT 6 ends • All CAT 6 cables and cameras tested to confirm functionality • Setup of devices in Verkada Command

Don't forget...you can now sign up for online access to your account. Just visit nubegrp.com and click on E-Info Customer Portal. You can self register and its free. Submit meter reads, pay invoices, view features of your account and much more!!	Subtotal	\$17,555.52
	Discount	\$0.00
	Freight	\$272.00
	Sales Tax	\$0.00
	Sales Order Total	\$17,827.52



Sales Quote No: QT1008
Date: 10/25/23
Account No: CO26

Ship To: City Of Edgewood
171 New Mexico 344

, NM 87015
USA

Notes
CES Contract: 2023-20-C112-ALL. Edgewood PD. Includes 1 year software license. No additional monthly or equipment replacement costs. 10 Year warranty on all equipment. Installation Includes: • 5 - Installation of Verkada cameras w/mounts • 5 - CAT 6 cable drops for cameras • 5 - RJ45 CAT 6 ends • All CAT 6 cables and cameras tested to confirm functionality • Setup of devices in Verkada Command

Don't forget...you can now sign up for online access to your account. Just visit nubegrp.com and click on E-Info Customer Portal. You can self register and its free. Submit meter reads, pay invoices, view features of your account and much more!!	Subtotal	\$6,612.85
	Discount	\$0.00
	Freight	\$85.00
	Sales Tax	\$0.00
	Sales Order Total	\$6,697.85

Communications and Outreach Manager

Job Type: Full-time or Part-time? (Number of Hours/Wk)

Pay Range: ?? (clarify, if FTE)

Non-Exempt

Benefits eligible? Yes or No?

Remote or Hybrid eligible? Yes or No?

POSITION SUMMARY

Communications and Outreach Manager will provide management and coordination of the Town's comprehensive communications to include, strategic marketing, outreach, and representation in promotional and informational materials, including content in print as well as via social media and website. Work with town departments to promote, publicize, and advance town projects, objectives, and/or town commission initiatives. Reports to town manager.

DUTIES AND RESPONSIBILITIES

- Develop community outreach and public awareness campaigns for town programs, services, and initiatives using exhibits, videography, photography, special public presentations, and the use of town online video channel. Define segment(s) of the public to be reached and execute the most effective techniques to reach the public, including social media.
- Collaborate with other teams, including management, department staff to ensure cohesive branding and public relations.
- Create, edit, and revise materials to include special correspondence and/or documents for community outreach.
- Write and coordinate the distribution of news releases, news articles, website content, brochures, and information packets specific to the needs of town departments and/or elected official(s).
- Respond and work directly with the media and/or organizations in preparing and distributing public services announcements, fact sheets, and other information.
- Coordinate and schedule speaking engagements, special events, and media interviews to convey information about specific programs, inquiries or events.
- Coordinate the creation, design and layout of publications including the arrangement of print, photography, illustrations, and artwork.
- Coordinate planning of events, including ribbon cutting ceremonies and groundbreaking events.
- Incumbent(s) in this classification may handle sensitive and/or confidential records, plans, documents or decisions that require maintaining confidentiality of sensitive information.

Minimum Qualifications

- Bachelor's Degree in Communications, English, Journalism, Marketing, or related academic field.
- Two (2) years work experience in public information, marketing, or related field.

Knowledge, Skills and Abilities

- Possess a solid understanding of effective communications and marketing techniques;
- Must have excellent writing and editing skills;
- Be able to communicate clearly and effectively;
- Strong time-management, project management, and organizational skills;
- Experience and ability to work harmoniously with a wide range of people; and
- Self-motivated; ability to accomplish tasks with minimal instruction.
- Knowledge of Edgewood area and community preferred.

ADDITIONAL REQUIREMENTS

??? Such requirements might include background check, bonding, etc.

WORKING CONDITIONS

- Essential duties are performed primarily indoors (90%) and occasionally outdoors (10%). Indoor duties are performed in a temperature-controlled environment. Worker is exposed to natural weather conditions while performing outdoor duties.
- Indoor duties are performed on an even surface, which may be carpeted or tiled. Working surface is typically dry.
- Outdoor duties may be performed on both even and uneven surfaces which may be either wet or dry. Surfaces may be inclined or flat, and range from gravel, asphalt, or concrete.
- Most duties are performed alone. Worker may perform certain duties as a part of a select team of individuals.

EQUIPMENT, TOOLS, AND MATERIALS

- Equipment typically used in the performance of duties include computer, cameras, telephone, photocopy machine, facsimile machine and calculator.
- Materials and products handled while performing essential duties include files, forms, reports, various other paperwork, and a wide variety of basic office supplies.
- Town vehicle is used on an occasional basis.

Equal Opportunity Employer

The above information for this job description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties and responsibilities required of all employees assigned to this job.

ORDINANCE NO. 2023-013

Town of Edgewood Cell Tower Ordinance

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD, NEW MEXICO:

Purpose: The purpose of this ordinance is to establish a comprehensive regulatory framework governing the construction, placement, and maintenance of cell phone towers within the town of Edgewood. This framework is designed to ensure the responsible deployment of telecommunications infrastructure, safeguard public safety, protect the aesthetic character of the community, and promote the efficient use of land for such purposes. Additionally, this ordinance recognizes the importance of facilitating the deployment of 5G technology to meet the evolving needs of the community.

Section 1: Definitions

1. Cell Tower: Any structure, including but not limited to monopoles, lattice towers, or disguised support structures, constructed to support antennas and related equipment for wireless communication services.

Antenna: A device designed for the transmission or reception of radio frequency signals, typically mounted on a tower or structure.

Telecommunications Facility: An integrated system of equipment, including antennas, towers, base stations, and other supporting structures, used for the transmission and reception of wireless communications signals.

5G Technology: The fifth generation of wireless technology that provides increased data speeds, reduced latency, and enhanced connectivity for mobile and internet-connected devices.

Section 2: Zoning and Land Use

1. Permitted Zones: Cell phone towers, including those supporting 5G technology, are permitted in designated Commercial (C) and Industrial (I) zoning districts, as outlined in the Edgewood Zoning Map.

Special Requirements: In residential zones, cell phone towers must adhere to strict design and placement guidelines to ensure compatibility with the surrounding neighborhood. Special considerations for 5G technology deployment may include small cell installations to enhance coverage and capacity in residential areas.

Setback Requirements: In residential areas, cell phone towers, including 5G installations, must maintain a setback of at least 200 feet from property lines. Additional setbacks may be required based on specific site characteristics and topography.

Section 3: Permitting Process

1. Application Procedure: Applicants must submit a comprehensive permit application to the Edgewood Zoning Commission, including detailed site plans, structural engineering reports, an environmental impact assessment, and a community impact statement. For 5G installations, the application must include specific details on the technology, equipment, and coverage area.

Permit Fees: The non-refundable application fee is \$1,000 for traditional cell phone towers and \$500 for 5G installations. These fees cover administrative costs, public notice requirements, and review processes associated with the permit application.

Approval Authority: The Edgewood Zoning Commission, following a public hearing, shall review and either approve or deny the permit application. The Commission may impose conditions to address community concerns or enhance the project's compatibility with the surrounding environment.

Section 4: Design and Aesthetics

1. Guidelines: Cell phone towers, including those supporting 5G technology, must adhere to detailed design and appearance guidelines developed by the Edgewood Planning Department. These guidelines aim to ensure that towers complement the local landscape and architecture.

Camouflage: The ordinance encourages the use of innovative camouflage techniques, such as stealth designs, landscaping, or architectural treatments, to minimize the visual impact of cell phone towers and 5G installations and integrate them into the natural surroundings.

Height Limitations: In residential zones, cell phone towers, including 5G installations, must not exceed 100 feet in height, measured from the natural grade level to the highest point of the structure, to maintain visual harmony with the neighborhood.

Section 5: Safety and Environmental Considerations

1. Safety Standards: All cell phone towers, including those supporting 5G technology, must comply with industry-accepted safety standards, including structural stability assessments, radio frequency (RF) emissions evaluations, and lighting requirements to ensure public safety.

Environmental Impact: Prior to approval, applicants must conduct a comprehensive environmental impact assessment, considering factors such as potential impacts on wildlife, vegetation, and cultural resources. The assessment should propose mitigation measures to minimize adverse effects. For 5G installations, an assessment of potential health impacts related to increased radio frequency exposure must be included.

Health Impact Assessment (5G): Applications for 5G technology must include a specific health impact assessment addressing potential concerns related to increased radio frequency exposure. This assessment should consider the latest scientific research on the health effects of 5G technology.

Section 6: Public Notification and Input

1. **Public Notice:** Notice of proposed cell phone tower projects, including 5G installations, must be published in a local newspaper, and adjacent property owners within a 500-foot radius must receive direct notification by mail at least 15 days prior to a public hearing.

Public Hearings: Public hearings will be conducted to provide an opportunity for residents, community organizations, and other stakeholders to express concerns, ask questions, and provide feedback regarding proposed cell phone tower projects, including 5G installations. These hearings aim to foster community engagement and address potential issues before final permit decisions are made.

Section 7: Maintenance and Removal

1. **Maintenance Requirements:** Cell tower operators must submit an annual maintenance plan detailing routine inspections, equipment upgrades, and landscaping maintenance to ensure the ongoing safety, functionality, and compliance of the cell phone tower, including 5G installations.

Removal of Inactive Towers: Inactive or obsolete towers, including 5G installations, must be removed within 180 days of becoming inactive. The removal process must adhere to safety protocols, and the site must be restored to its pre-tower condition, as approved by the Edgewood Zoning Commission.

Section 8: Insurance and Liability

1. **Insurance Coverage:** Cell tower operators, including those supporting 5G technology, must maintain comprehensive liability insurance coverage with a minimum coverage of \$2 million to cover potential damages, liabilities, or injuries arising from the construction, operation, or maintenance of cell phone towers within the town of Edgewood.
-

Section 9: Compliance and Enforcement

1. **Penalties:** Violations of this ordinance may result in fines of up to \$5,000 per offense, suspension of permits, or removal of non-compliant structures, as determined by the Edgewood Zoning Commission.

Enforcement Mechanisms: The town reserves the right to pursue legal action, including injunctive relief and cost recovery for any necessary corrective actions, to enforce compliance with this ordinance.

Section 10: Miscellaneous Provisions

1. **Indemnification:** Cell tower operators, including those supporting 5G technology, shall indemnify and hold the town of Edgewood harmless from any claims, damages, or liabilities arising from the construction, operation, or maintenance of cell phone towers within the town.

Amendments: This ordinance may be amended by the Edgewood Town Commission following a public hearing and proper notice to affected parties. Amendments should be made to address emerging technologies, changing community needs, or regulatory requirements. Proposed amendments must undergo the same public review process as new ordinances.

PASSED, APPROVED, and ADOPTED this 12th day of December 2023.

Kenneth Brennan, Mayor

ATTEST:

Rachel Martinez, Clerk

Nina,

I want to request re-appointment to the Edgewood Parks and Recreation Advisory Committee for the term of 2024 - 2026. My current term ends this December.

Over these last two years, I have contributed to many of the activities the town has hosted. I have planned two Memorial Day ceremonies, helped plan one 4th of July event, created the Teen Advisory Council (TAC) to help provide a voice for teens in our P&R programming, and led PRAC to reawaken our town's public service offerings with favorable results.

I plan to continue my work with the TAC and the Senior Group, whatever name it may be called, should I be re-appointed and with the efforts of all members of the PRAC, I expect as a group we will accomplish even more.

K.R.

--

K.R. Scott

A life of service is a life well served.

TOWN OF EDGEWOOD

Resolution No. 2023-__

**A RESOLUTION ADOPTING THE PROCESS OF FORMULATING THE GOVERNING BODY
COMMISSION AGENDA (Rescinding and Replacing Resolution No. 2023-022)**

WHEREAS, the Municipality of Edgewood recognizes the importance of setting the process of the formation of the governing body commission agenda for each meeting; and

WHEREAS, it is important for the public to recognize the process being used by the governing body; it is necessary to describe such process; and

WHEREAS, it is important that all representatives of the public have a voice and any minority positions are not denied.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF EDGEWOOD that:

1. The Municipal Clerk-Treasurer will compile the agenda for each of the Commission meetings called for by Resolution or by any member of the Governing Body with the date set by the Clerk-Treasurer.
2. The Municipal Clerk-Treasurer will compile the agenda based on input from the Town Manager or any member of the governing body.
3. Agenda items will be placed in the order they are received. However, items not heard from previous meetings will automatically be added to the top of the next discussion and action agenda.
4. When an agenda item has been placed on the agenda at the request of the Town Manager or any Governing Body member, no one can remove an item from the agenda unless the Clerk has received written permission from the individual(s) who have asked that the item be placed on the agenda.
5. Members of the Public or of Town committees/boards/councils and department managers may request items on the agenda through a Commissioner or one of the Commission's executive level appointees.
6. The Commission's executive level appointees (such as the Town's Manager, Chief of Police, Attorney, Clerk-Treasurer, etc.) may add items to the agenda.
7. Public Comment shall be added to each agenda at the beginning and end of each meeting and shall not be restricted to items on the agenda, as items are sometimes removed from the agenda by the Commission and the Public may have attended to

speak to that topic. It is preferable not to make the Public wait until the end of the meeting to make their general comments.

8. The Clerk-Treasurer may remove items from the agenda only as provided in #4.
9. The Clerk-Treasurer may reorganize the agenda using judgment, consideration of time constraints, time sensitivity of items, relevancy, and the priorities of each meeting.
10. Regular Commission meetings shall be preceded with an open meeting Work Session from 5 pm – 6 pm. The purpose of the workshop is to make the regular business meeting more efficient and effective. Work sessions are for non-action items only and typically include department reports, presentations, planning, and executive sessions. Action should not be taken in these Work Sessions, as the Commission needs to hear Public Comments in the regular meeting, and it can take a while for the Public to commute back to Edgewood in the evening.
11. Executive sessions should be either in the Work Session or at the end of the regular meetings, so the Public does not have to wait for the Town's open session regular business to occur.
12. The Commission may reorganize agenda items during the Agenda Approval portion of the regular meeting. To avoid disrupting the flow and efficiency of the meetings, the Commission should avoid reorganizing the agenda any time after the approval of the agenda.

PASSED, APPROVED and ADOPTED by the governing body at its meeting of December 12th, 2023

ATTEST:

Audrey J. Jaramillo, Mayor, CMO

Nina R. McCracken, Clerk

TOWN OF EDGEWOOD

Resolution No. 2023-~~048~~ **022**

A RESOLUTION

ADOPTING THE PROCESS OF FORMULATING THE GOVERNING BODY COMMISSION
AGENDA (Rescinding and Replacing Resolution No. 2023-032)

WHEREAS, the Municipality of Edgewood recognizes the importance of setting the process of the formation of the governing body commission agenda for each meeting; and

WHEREAS, it is important for the public to recognize the process being used by the governing body; it is necessary to describe such process; ~~and~~

WHEREAS, it is important that all representatives of the public have a voice and any minority positions are not denied;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF EDGEWOOD that:

1. The Municipal Clerk-~~Treasurer~~ will compile the agenda for each of the Commission meetings called for by Resolution or by ~~the Town Manager or by~~ any member of the Governing Body with the date set by the Clerk-~~Treasurer~~.
2. The Municipal Clerk-~~Treasurer~~ will compile the agenda based on input from the Town Manager or any member of the governing body.
3. Agenda items will be placed in the order they are received. However, items not heard from previous meetings will automatically be added to the top of the next discussion and action agenda.
4. When an agenda item has been placed on the agenda at the request of the Town Manager or any Governing Body member, no one can remove an item from the agenda unless the Clerk has received written permission from the individual(s) who have asked that the item be placed on the agenda.
5. Members of the Public or of Town committees/boards/councils and department managers may request items on the agenda through a Commissioner or one of the Commission's executive level appointeed official.
- ~~6.—This resolution rescinds Resolution No. 2022-018.~~

6. The Commission's executive level appointees (such as the Town's Manager, Chief of Police, Attorney, Clerk-Treasurer, etc.) may add items to the agenda.
7. Public Comment shall be added to each agenda at the beginning and end of each meeting and shall not be restricted to items on the agenda, as items are sometimes removed from the agenda by the Commission and the Public may have attended to speak to that topic. It is preferable not to make the Public wait until the end of the meeting to make their general comments.
8. The Clerk-Treasurer may remove items from the agenda only as provided in #4.
9. The Clerk-Treasurer may reorganize the agenda using judgment, consideration of time constraints, time sensitivity of items, relevancy, and the priorities of each meeting.
10. Regular Commission meetings shall be preceded with an open meeting Work Session from 5 pm – 6 pm. The purpose of the workshop is to make the regular business meeting more efficient and effective. Work sessions are for non-action items only and typically include department reports, presentations, planning, and executive sessions. Action should not be taken in these Work Sessions, as the Commission needs to hear Public Comments in the regular meeting, and it can take a while for the Public to commute back to Edgewood in the evening.
11. Executive sessions should be either in the Work Session or at the end of the regular meetings, so the Public does not have to wait for the Town's open session regular business to occur.
12. The Commission may reorganize agenda items during the Agenda Approval portion of the regular meeting. To avoid disrupting the flow and efficiency of the meetings, the Commission should avoid reorganizing the agenda any time after the approval of the agenda.

PASSED, APPROVED and ADOPTED by the governing body at its meeting of ~~December~~ June
~~13th~~ 12th, 2023

ATTEST:

Kenneth Brennan, Mayor

Rachel Martinez, Clerk

TOWN OF EDGEWOOD

Resolution No. 2023-0__

**AN ANNUAL RESOLUTION PROVIDING FOR RULES GOVERNING THE
OPERATION AND CONDUCT OF MEETINGS OF THE GOVERNING BODY OF THE
TOWN OF EDGEWOOD (Repealing and Replacing Resolution 2023-033)**

WHEREAS, NMSA 1978 Section 3-14-11 provides, in part that "The governing body of a municipality having a Commission/Manager form of government shall hold meetings at least twice a month. Meetings shall be open to the public and the official records of the meetings shall be open to inspection at all times; and

WHEREAS, the Governing Body recognizes the need for rules of procedure for the efficient and effective conduct of meetings of the Governing Body of the Town of Edgewood.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF EDGEWOOD that the following rules are established for the transaction of business before the Governing Body this 12h day of December 2023:

Definitions

A. For purposes of this Resolution, the terms set forth below shall be defined as follows:

1. "Chair" means the Mayor, the Mayor Pro Tem or any other member of the Governing Body lawfully charged with conducting a meeting of the Governing Body. For purposes of cross-training, continuity, and redundancy, any member of the Governing body may chair a meeting if charged with conducting that meeting by motion, second, and two-thirds (2/3rds) vote of the Governing Body,
2. "Clerk-Treasurer" means the Town employee serving as Clerk and Treasurer for the Town of Edgewood.
3. "Deputy Clerk" means the Town employee serving as Deputy Clerk for the Town of Edgewood.
4. "Commissioner" means any duly elected or appointed member of the Town Commission of Edgewood.
5. "Governing Body" includes all Commissioners including the Commissioner appointed as ceremonial Mayor. The Town Manager and Town Attorney shall have a seat, but no vote, at every meeting of the Commission.
6. "Mayor" means the Commissioner elected by the other commissioners to preside over meetings as Chair. The Mayor/Commissioner serves as the ceremonial head of the municipality. The Mayor does not hire, fire, or supervise municipal employees. Per 3-14-10 NMSA 1978, the Mayor has all powers and duties of a commissioner, including the right to vote upon all questions considered by the Commission. The Mayor is the official head of the municipality for all ceremonial purposes, for the purpose of civil process and for military purposes. During their absence or disability, their duties shall be performed by another member of the Commission, appointed by a majority of the Commission and designated as Mayor Pro Tem.

7. "Mayor Pro Tem" means the Commissioner chosen by the Commission to perform duties of the Mayor, in the Mayor's absence.
8. "Quasi-Judicial Public Hearing" means any Public Hearing required under State Law to be held by the Governing Body to adjudicate individual rights or responsibilities, including specifically but not limited to, zoning decisions, appeals from zoning decisions, subdivision plat approvals, or personnel matters, provided that this does not include matters related to approval of proposed contracts, agreements, or purchases by the Governing Body.
9. "Speaker" means any person who is recognized by the Chair to speak at a meeting, whether a Commission Member, the Clerk, the Treasurer, the Town Manager, the Town Attorney, an employee, staff member, committee member or other person associated with Town government, or a member of the public.
10. "Town Attorney" means the attorney hired by the Commission to provide legal counsel.
- ~~10.~~11. "Town Manager" means the executive level appointee who serves as the Town's Chief Administrative Officer with executive powers delegated by the Commission. The Town Manager enforces and carries out all ordinances, rules, and regulations enacted by the Commission; employs and discharges all persons engaged in the administrative level band of employees; prepares and submits an annual budget; and makes recommendations to the Commission on all matters concerning the welfare of the municipality. Except when clearly undesirable or unnecessary, the Commission shall request the opinion of the manager on any proposed measure.
- ~~11.~~12. "Appointee(s)" Appointee means The Town Manager, Treasurer, Clerk, Police Chief, and any other person appointed to any executive level position by the Governing Body. Appointees may only be directed by a motion and vote of the Governing Body and not by any single member of the Governing Body whether Mayor or Commissioner. While not supervised by the Town Manager, Appointees should work closely with and alongside the Town Manager to insure the smooth and efficient operation of the Town government.

Meetings

- B. As provided for in Section 10-15-1 of the New Mexico Open Meetings Act, all regular, special, and emergency meetings will be held as follows:
 1. Regular Meetings are held on the second and fourth Tuesday of each month, beginning March 14, 2023 at the Town of Edgewood Commission Chambers, Edgewood Town Hall 171A State Road 344 at 6:00 PM and shall adjourn at 9:30 PM or earlier. So that Town business might be accomplished in this timeframe, work sessions are held 5:00 PM to 6:00 PM. These work sessions are for non-action items only such as executive sessions, presentations, and other reports.
 2. Special Meetings and Emergency Meetings may be called by any member of the Commission for a time and date certain at a location fully accessible to the public in the Town of Edgewood. Special meetings may be called to facilitate work sessions, including strategic planning sessions, and possible quorums may be at trainings; these may or may not be held in the Town of Edgewood.
 3. Meeting Notices of regular and special meetings of the Commission shall specify the date, time, location, and subject matter of the meeting.
 4. Where notice requirements are not otherwise specified by Ordinance, notices of regular meetings are posted a minimum of three (3) calendar days in advance of the meeting date and in accordance with the Open Meetings Act of the New Mexico Statutes.

5. Where notice requirements are not otherwise specified by Ordinance, notice of special meetings are posted a minimum of three (3) calendar days in advance of the meeting date and in accordance with the Open Meetings Act of the New Mexico Statutes.
6. Notices for regular and special meetings are posted at the following places within the Town of Edgewood:
 - i. Municipal Offices ([#171 A State Road 344](#))
 - ii. Edgewood Community Library ([#171 B State Road 344](#))
 - iii. Mr. Gas Mart ([#1 State Road 344](#))
 - iv. Edgewood Community Center ([27 E. Frontage Road](#))
 - v. Mail & Copy Business Center ([Road 2 Marietta Court](#))
 - vi. Town of Edgewood Website (<http://www.edgewood-nm.gov>)
 - vii. Electronic sign at Chili Hills (Eastbound 1-40 on-ramp)

Minutes

- C. Minutes are prepared by the Clerk or Clerk's administrative assistant under the Clerk's supervision using notes, electronic recordings or other media recordings taken at the meetings. The minutes include the following: the date, time, and place of the meeting; the names of the Governing Body in attendance and those absent; the names of Town Staff present; the agenda items; a brief synopsis of the substance of matters discussed; names of citizens who address the Governing Body and brief synopsis of their comments; a record of any decisions and votes taken which show how each member voted.
- D. Draft minutes may only be amended or modified during public meetings by a motion and vote of the Commission. Any Commissioner moving to modify or amend the minutes must provide the timestamp of the Facebook video recording of the portion of the meeting where the exact and correct verbiage is spoken. The Clerk will confirm the wording change from the video and make the change. If the Clerk cannot confirm the proposed wording change from the video, no change will be made and the matter will be brought before the Commission for review. The minutes are not intended to be a verbatim transcript of the meeting proceedings. Draft minutes shall be prepared within ten working days after the meeting. Meeting minutes can be found on the Town website under Commission Agendas/and Minutes/Audio.
- D.E. Any Commissioner in any subsequent meeting in which minutes are approved may, subject to review for accuracy after review of recordings, request the minutes be modified to indicate the comments or other content more accurately in the minutes.

Conduct of Meetings

- E.F. Robert's Rules of Order, newly revised, is hereby adopted for the governance of the Governing Body only, in cases not otherwise provided for in these rules.

Distribution of Materials to Governing Body

- F.G. Agenda and other written materials assembled for distribution to the Governing Body shall be provided electronically via Town e-mail and copies placed in the cabinet provided for that purpose outside the Municipal Offices. It is the responsibility of each member of the Governing Body to check their name slot periodically, to remove materials for preparation in advance of meetings.

1. Draft Agendas will be provided to the Commissioners on the previous Wednesday before the Regular Meetings and as soon as possible before a Special or Emergency meeting, to allow

for suggestions and changes by the Commissioners before the Agenda is posted within 72 hours of the meetings.

2. All written material needed for preparation for discussion and/or decision-making by the Governing Body shall be distributed by 6:00 PM on the Friday prior to regular meetings, and as soon as practicable before a Special or Emergency Meeting.
3. Commissioners may request additional records, documents, and any other information as may be required to perform all acts required for the general welfare of the municipality, except as may conflict with quasi-judicial procedures. The Appointees shall comply with such requests as soon as possible, but not longer than 48 hours.
- ~~2~~4. Commissioners shall not instruct other Appointees or employees to not talk to other Commissioners. The same level of information and communication shall be available to all Commissioners.

Electronic Devices

H. All electronic devices shall be silenced for the duration of public meetings. This information shall be included in all agendas published by the Town of Edgewood. As a courtesy to the public, a reminder will be given at the beginning of all town meetings.

1. ~~1~~ Nothing in this section shall prohibit the arrangements necessary to allow for participation of a Town Official by telephone or electronic device provided that all present at the meeting can hear the Speaker who is participating, and the person on the phone can also hear what is said by the other Speakers.
2. ~~2~~ Recording devices used by the public will be required to be turned off if they interfere with the quality of the sound of the meeting.
- ~~3~~3. Commissioners shall not communicate with each other electronically during meetings as to not violate the Open Meetings Act.

Provision of Rules Governing the Conduct of Meetings Generally

~~H~~I. The provisions of this Resolution shall be applied with common sense in order to affect the purpose of this Resolution. The policy of the Town of Edgewood is that meetings of the Governing Body shall be conducted in a professional and courteous manner without personal attacks, hollering, or interrupting Speakers.

~~I~~J. Commission Members are expected to be personally present at all meetings of the Governing Body of the Town of Edgewood. In the event it is otherwise difficult or impossible for the Commission Member to attend the meeting in person, Commission Members may participate in meetings of the Governing Body by means of a conference telephone, electronic device, or other similar communications equipment, provided that the requirements of the Open Meetings Act, NMSA (1978), § 10-15-1, et seq. are met.

K. The agenda for meetings of the Governing Body shall be set as provided by Resolution No. 2023-0__~~22~~. Each Commissioner has the right to add Agenda items for Discussion and/or Action, provided that each Commissioner shall, supply Agenda-ready language for each item, only add Agenda items for themselves, not for other Commissioners and shall provide any supporting documentation needed for that item for the meeting packet. In order to have an item placed on the Agenda for any regular meeting, it must be submitted to the Clerk by the Wednesday previous to the meeting date by 5:00 PM. If the item is received after the 5:00 PM Wednesday deadline, it will be placed on the next Regular Meeting agenda in the order received. The Clerk is the Commission's secretary per statute and may assist Commissioners with these steps.

- J.L. Any item of business may be placed on the Consent Agenda if it is believed that no discussion or amendment is needed. At the beginning of the Consent Agenda, the Chair shall ask if Commissioners wish to drop items from the Consent Agenda; upon the request of any Commissioner, any item shall be removed from the Consent Agenda and placed on the regular part of the agenda. Items remaining on the Consent Agenda shall be affirmatively acted on by one or more motions, which motion is non-debatable; items remaining on the Consent Agenda may not be amended or substituted.
- K.M. The Chair shall have the primary authority and responsibility to determine whether discussion at a meeting of the Governing Body is proceeding properly within the scope of items set forth in the agenda for that meeting.
- L.N. Any person wishing to participate as a Speaker at a meeting of the Governing Body shall first ask to be recognized by the Chair.
- M.O. The Chair shall have authority to determine the order in which Speakers shall be recognized and determine when discussion on a matter appears to have concluded, subject to the other provisions of this Resolution.
- N.P. Should the Chair determine that any Speaker is or will be addressing matters that are not properly within the scope of items set forth in the agenda, or is otherwise in violation of this Resolution, the Chair is authorized to declare the Speaker out of order.
- O.Q. Should the Chair determine that any discussion addresses matters that are not properly within the scope of items set forth in the agenda, has concluded, or is otherwise in violation of this Resolution, the Chair is authorized to declare further discussion on said subject out of order.
- P.R. Any Speaker who is determined to be out of order by the Chair shall cease speaking immediately upon said determination. If any discussion is determined by the Chair to be out of order, said discussion shall immediately cease.
- Q.S. A Commission Member other than the Chair may seek to allow a Speaker to resume speaking or to reopen a discussion after the Chair has ruled the Speaker or discussion is out of order by making a motion to reopen discussion. The Speaker may resume speaking or discussion may be resumed if said motion is seconded and a majority of the quorum votes in favor of the motion.
- R.T. Multiple motions to reopen discussion are not favored. Upon denial of a motion to reopen discussion, discussion may be reopened.
1. At a subsequent meeting where the matter at issue is properly included on the agenda, and
 2. Upon a showing by a Commission Member that additional facts or circumstances exist to justify reopening discussion. After a Commission Member has explained the grounds to reopen discussion under this subsection, the Governing Body shall vote whether to reopen discussion or to table the agenda item. A majority of the quorum present shall determine whether to reopen discussion under this subsection.
- S.U. A Commission Member, the Town Manager, the Clerk, Treasurer, Chief of Police, or the Town Attorney may seek a determination that a Speaker or discussion is out of order by bringing the matter to the attention of the Chair by raising a Point of Order. The Chair shall then determine whether the Point of Order is well taken or not well taken and shall determine whether a Speaker is out of order.
- T.V. The Chair shall recognize any Commission Member who wishes to speak, unless under the circumstances said Commission Member's speech would be out of order under or otherwise in violation of this Resolution.
- U.W. If the Town Manager, Clerk, Treasurer, Chief of Police, the Town Attorney, an employee, staff member, committee member or other person associated with Town government asks to be recognized on a matter involving that individual's area of special knowledge or expertise, or

work on behalf of the Town, that person shall be recognized, unless the Chair determines that the proposed Speaker would be out of order under or otherwise in violation of this Resolution.

~~V.X.~~ Members of the general public who ask to speak shall be recognized to speak during appropriate portions of a meeting of the Governing Body for specific lengths of time as set out below. This includes specifically:

1. Individuals who have been invited to present information to the Governing Body with regards to particular agenda items, five minutes, and
2. Members of the public during public comment segments of the agenda, two minutes, and
3. Members of the public during public comment segments of the agenda may yield their two minutes to another speaker, and
4. Members of the public at hearings on a proposed ordinance after a motion is properly made and seconded by the Governing Body to approve said ordinance and prior to the vote on said proposed ordinance, five minutes.

~~W.Y.~~ Notwithstanding the provisions of subsection ~~U.14~~, the Chair retains authority to determine that a member of the public who wishes to participate as a Speaker is out of order or otherwise in violation of this Resolution. ~~The provisions of Subsection U.14 do not apply to Quasi-judicial public hearings, which shall be governed as provided by Section H below.~~

~~X.Z.~~ If a member of the Governing Body wishes to hear from a member of the Public seated in the audience, the Chair will ask the remainder of the Governing Body whether they wish to hear from the individual. ~~If there is a majority vote, the member of the Public will be heard from.~~

~~Y.AA.~~ In any procedural matter not otherwise covered by this Resolution, the most current edition of Robert's Rules of Order shall apply, provided such rules will be interpreted in a commonsense fashion to affect the purpose of this Resolution.

Provision of Rules Governing Motions Commission Members

~~BB.~~ When an agenda item contains a provision for action to be taken by the Governing Body, it shall be the prerogative of Commission ~~M~~members to make proper motions for action related to that agenda item. Motions ~~should be~~ framed in the positive, so that an affirmative vote will serve to approve a proposed action. A motion to deny an action is also considered a positive motion.

~~Z.CC.~~ To make a motion, a Commission Member must first be recognized by the Chair. After the Member has made a motion (and after the motion is seconded or after debate has proceeded), the Chair must then restate it or rule it out of order, then call for discussion.

~~AA.DD.~~ Upon the Chair's determination that reasonable discussion has completed on a pending motion, and in the absence of a proper motion to reopen discussion, the Chair shall call for a vote. ~~A proper motion to reopen discussion shall be decided before any additional discussion or action takes place. Per Robert's Rules of Order, in a roll call vote, the roll shall be called by the Clerk in alphabetical order with the Chair voting last.~~

~~BB.EE.~~ A motion on an action item may be withdrawn by the Commission member who made the motion at any time before it is seconded. ~~After it has been seconded a motion may be withdrawn with the consent of a majority of the quorum present. There is no need to obtain the floor to second the motion.~~

~~CC.FF.~~ During the time that a motion has been made and seconded is pending, no other motion shall be recognized by the Chair, other than a motion to amend the pending motion or a motion to reopen discussion as provided in subsection above.

~~DD.GG.~~ Friendly amendments are not allowed. to a pending motion shall be allowed upon the consent of the Commission member who made the motion and said consent shall constitute a seconding of the motion as amended thereby. Secondary motions, including motions to amend the original

motion, are allowed. Secondary motions require a second (or discussion proceeding) and vote prior to the main motion being voted upon.

HH. Thus, ~~O~~other amendments to a pending motion shall be allowed if seconded (or discussion proceeding) and if a majority of the quorum present affirmatively votes to allow the amendment. Such an affirmative vote shall have no effect other than to amend the motion on the floor and shall not constitute a vote to approve either the original motion or the amended motion (if it was already amended).

~~EE~~II. Motions to reconsider or move the previous question may be made by any Commissioner. Commissioner motions to postpone to a certain time or to postpone indefinitely, properly seconded, may be used to facilitate additional staff follow-up, research, or investigation.

~~FF~~JJ. Whenever the Governing Body has voted upon a matter ~~listed~~ on the agenda, it shall be presumed that further discussion by a Speaker regarding that matter is out of order. Provided, however, that this provision shall not limit the prerogative of a Commission ~~M~~member to propose an alternative motion unless upon Motion by the Chair, a majority of the quorum present determine said alternative motion to be out of order.

~~GG~~KK. The Chair (Mayor or Mayor Pro Tem) controls access to the floor. It is Out of Order to speak unless granted by the floor except for 1) Point of Order and 2) Certain Privileged Motions.

~~HH~~LL. Traditionally, the person making the motion initiates discussion/debate on the matter at hand. ~~Discussion~~~~ebate~~/~~debated~~~~discussion~~ must be confined to the Question before the Body. Debate should be addressed to the Chair and not to the members of the Commission. ~~One member~~Commissioners may ask questions of another Commissioner but should not interrogate another ~~M~~member or person speaking from the public except through the Chair. Commissioners may ask questions of staff or the Town Attorney. There is no time limit on debate or discussion or limitation on the rounds of debate.

MM. The Chair (or the Governing Body) may set reasonable time limits in debate. Time may be extended or limited upon a majority vote of the Body.

NN. ~~It~~ It is the right of every member who notices a breach of the rules to insist on their enforcement thereby calling upon the Chair for a ruling and enforcement.

OO. The Chair may recognize a Commission Member on a point of personal privilege or parliamentary inquiry.

Provision of Rules Governing Appointments to Boards, Commissions, Committees, and Sub-committees

PP. Appointments shall be sent to the Commission separately for individual consideration. An appointment shall be considered at the next regular meeting of the Commission. Any Commissioner may recommend a proposed appointee. Proposed appointments shall be distributed to the Commission as soon as practical, but in no event less than 72 hours before any meeting.

QQ. In the event any Commissioner is selected to sit on a procurement selection committee, the Manager shall be obligated to fairly rotate all Commissioners into such procurement selection committees before a Commissioner may be re-seated on any such committee.

RR. The Clerk and Mayor shall track all appointments, terms, and resignations to ensure all positions on all internal and external positions remain filled.

~~It~~SS. Commissioners and the executive level Appointees shall report a summary to the Commission after each meeting they attend on behalf of the Town at the next regularly scheduled Commission meeting.

Provision of Rules Governing the Conduct of Quasi-Judicial Public Hearings

~~JJ.TT.~~ When a matter comes before the Governing Body for determination that, under State Law, is to be determined by the Governing Body acting in a quasi-judicial capacity, only Commission Members, the Town Attorney, or witnesses who are determined by the Chair to have testimony relevant to the matter under consideration shall be qualified to participate as Speakers in that matter.

~~KK.UU.~~ The Rules of Evidence shall not apply to the conduct of such hearings, provided that the Governing Body shall base its decision on evidence that constitutes adequate factual grounds to support its decision under applicable law. Comments by Speakers who are properly determined to be out of order shall not be relied upon as grounds upon which the Governing Body bases its decision.

~~LL.VV.~~ All witnesses shall be required to take an oath as provided by law.

~~MM.WW.~~ The Chair shall be responsible for the general conduct of proceedings on matters to be heard under this Section, provided that in the Chair's discretion, the Town Attorney may provide advice to the Chair regarding the procedures to be followed.

~~NN.XX.~~ If a party to the matter at issue is represented by an attorney at the meeting, the attorney of that party may conduct a direct examination of any witness presenting testimony in support of the party's position, provided that the Chair retains the authority to exercise reasonable control over the manner, extent, and subject of such questioning and testimony so long as the party is reasonably able to place into evidence the facts necessary to support its position.

~~OO.YY.~~ If a party is not represented by an attorney, a witness who wishes to present testimony on behalf of that party shall be allowed to present in narrative form the facts which, to the witness' personal knowledge, support that party's position. Provided, however, that the Chair retains authority to exercise reasonable control over such testimony.

~~PP.ZZ.~~ Following the completion of direct testimony by any witness as provided above, Commission Members or, at the Chair's discretion, the Town Attorney shall be allowed to ask such additional questions as may be reasonably necessary to allow the Governing Body to reach its decision. Provided, however, that the Chair retains authority to exercise reasonable control over such questioning and testimony.

~~QQ.AAA.~~ Following questioning by the Commission members and/or the Town Attorney, any other party who has a legally cognizable interest in the matter shall be allowed to ask questions of the witness. An attorney representing the cross-examining party may conduct such questioning on behalf of the cross-examining party. Provided, however, that the Chair retains authority to exercise reasonable control over such questioning and testimony.

~~RR.BBB.~~ Following any questioning by the party, the party's attorney, Commission Members, the Town Attorney, and another party or that party's attorney, further questions will be allowed only upon a determination by the Chair that such questions are reasonably necessary to allow for a full and fair determination of the matter at hand.

~~SS.CCC.~~ Subject to any appeal process indicated in the Planning Ordinance, in addition to testimony, a party with a legally cognizable interest in a matter to be determined shall be allowed to present other evidence, including maps, plans, photographs, or other physical evidence that may reasonably aid the Governing Body in making a full and fair determination of the matter at hand. Provided, however, that the Chair retains authority to exercise reasonable control over the presentation of such evidence.

~~TT.DDD.~~ The Chair may require a party wishing to present physical evidence to provide testimony sufficient to establish that the evidence is genuine and relates to the matter to be determined. A Commission Member or the Town Attorney may, by point of order, request the Chair to require the presentation of such foundational evidence.

~~UU.EEE.~~ After a party with a legally cognizable interest in the matter to be determined has completed the presentation of evidence in support of its position, any other party with a legally cognizable interest in said matter shall be allowed to present its evidence. The Chair shall determine the order of the parties presenting evidence.

~~VV.FFF.~~ Rebuttal evidence shall be allowed upon request of a party if it is determined by the Chair that said evidence is necessary to a full and fair determination of the matter at issue.

~~WW.GGG.~~ After the presentation of all evidence to be presented upon the matter to be determined under this Section, any party having a legally cognizable interest in the outcome of the hearing, or that party's attorney, shall be allowed to make a closing statement. At the Chair's discretion, the Town Attorney may also present a summary of the facts and law in evidence before the Governing Body in order to aid it in reaching a full and fair determination of the matter at issue. The Chair retains authority to exercise reasonable control over closing statements.

~~XX.HHH.~~ Upon the presentation of all evidence and closing statements, the matter shall be decided in a manner consistent with the Open Meetings Act. If the Governing Body engages in further public discussion prior to voting on the matter at hand, the Chair shall not recognize members of the public as competent Speakers in such discussion.

~~YY.III.~~ Provisions of Sections above that are not inconsistent with the provisions of this Section shall also apply to quasi-judicial public hearings, including specifically

1. the obligation of speakers to comply with a determination by the Chair that they are out of order,
2. the prerogative of Commissioners or the Town Attorney to raise a point of order, and
3. provisions regarding the making of motions. A Commission Member other than the Chair may seek to override a determination made by the Chair pursuant to Section H of this Resolution.

Site Visits

~~ZZ.III.~~ Whenever the Governing Body takes up an appeal of a decision by the Planning & Zoning Commission, it may vote to conduct properly noticed meetings for the purpose of site visits. The objective of the site visit is to provide the Governing Body with a geographic orientation. Members of the public may attend; however, no public testimony, substantive discussion of the issues, or exchange of evidence will be allowed. Visual observations by the Governing Body illustrate the evidence introduced by the parties in the hearing but are not evidence themselves. Independent evidence introduced by a party is required to support any finding.

1. A site visit may be placed on the agenda at the request of a member of the Governing Body.
2. Whenever possible, a site visit should be scheduled to take place on the same day as the regular meeting during which the matter appears on the agenda.
3. Prior to the site visit, a regular or special meeting of the Governing Body shall be called to order, at the place and time as advertised on the agenda.
4. If a site visit is approved by vote of the Governing Body, the meeting will be adjourned for that purpose after the Mayor or Mayor Pro Tem reviews the procedure for site visits.
5. The Governing Body will conduct all site visits as a group; no member of the Governing Body acting apart from the entire group shall enter a property in order to conduct a site visit.
6. The merits of the application are not to be discussed while traveling to and from a site visit; ideally each member of the Governing Body will travel to the site individually.

7. Members of the Governing Body shall not engage in conversation with the press, members of the public, the applicant(s), or their representative(s). 8) Upon completion of the site visit, the Governing Body shall return to the location of the meeting and reconvene.
8. The merits of the application are to be discussed only after the Governing Body has reconvened the public meeting in the customary meeting place announced on the agenda.
9. Following a confirmation that no deliberations of the merits of the application took place and no votes were taken, the meeting will continue onto other agenda items or adjourned if the sole reason for the meeting was to conduct the site visit.

Conduct of ~~Executive Session~~ Closed Meetings

~~AAA.KKK.~~ When a meeting is closed pursuant to the Open Meetings Act, no discussion shall take place during the Closed Session other than regarding the matter or matters identified in the motion to go into Closed Session.

~~BBB.LLL.~~ No motion, vote, or other action shall take place during Closed Session unless otherwise authorized by the Open Meetings Act, except that the Governing Body may take a procedural vote to reopen discussion should the Chair determine that a speaker or discussion in the Closed Session is out of order. Commissioners are encourage to prepare for Executive Sessions in accordance with the Open Meetings Act.

~~CCC.~~ ~~If a procedural motion takes place in Closed Session, the fact that a motion occurred in Closed Session shall be reported to the public when the Governing Body resumes Open Session and the motion and rollcall vote therein shall be recorded in the minutes of the Governing Body. The obligation to report the occurrence of a procedural motion occurring during Closed Session shall not include an obligation to report details regarding the discussion that, under the Open Meetings Act, were properly allowed to take place in Closed Session.~~

~~DDD.MMM.~~ Participants in a Closed Session must be physically or electronically present and comprise a quorum of the Governing Body.

~~EEE.NNN.~~ In order to enter into a Closed Session at an open meeting, a majority of a quorum of the Governing Body shall approve a motion to enter into a Closed Session, which motion shall identify the authority for closure under the Open Meetings Act and state the subject to be discussed with reasonable specificity; the vote shall take place in an open meeting and the vote of each member of the Governing Body shall be recorded in the minutes.

~~FFF.OOO.~~ Due to the potential for liability and damages to the town, of matters discussed in Closed Session, all discussion is strictly confidential and shall not be disclosed by any participant. Because any recordings of discussions of town matters would constitute Public Records and therefore would be subject to the Inspection of Public Records Act, to protect confidentiality of all discussions, no recordings of any kind are allowed.

~~GGG.PPP.~~ When the Closed Session is completed and upon reconvening of the open meeting, a statement shall be made affirming that the matters discussed in the Closed Session were limited to those stated in the motion to close, which statement shall be approved by the Governing Body as part of the minutes.

~~HHH.QQQ.~~ The agenda for a regular, special, or emergency meeting that contains an agenda item where a Closed Session will be called for shall identify the authority for closure under the Open Meetings Act and state the subject to be discussed with reasonable specificity. The agenda item shall be reviewed by the Town Attorney prior to posting the agenda for compliance with the provisions of the Open Meetings Act with respect to the closure.

Enforcement and Penalties

~~HHH.RRR.~~ Should any Speaker violate the provisions of this Resolution, said Speaker shall be subject to public reprimand upon a majority vote of the Commission. Said reprimand shall be recorded in the minutes of the Governing Body.

~~JJJ.SSS.~~ Should a commissioned law enforcement officer be present at a meeting of the Governing Body, the Chair is authorized to request that said officer act as the Sergeant at Arms in cases where it appears to the Chair that assistance is required to restore order. A Sergeant at Arms is authorized to use lawful force to remove a Speaker, other than a Commissioner, from a meeting if the Speaker refuses to comply with a lawful directive of the Sergeant at Arms. A Commissioner may not be removed or asked to leave a meeting without a majority vote of the Governing Body. The Sergeant at Arms must understand and agree that the directive is in compliance with the law.

~~KKK.TTT.~~ If a Commission member violates this Resolution in such a manner or with such frequency that said violation or violations constitute a violation of the Town's Code of Ethics or of State Law, the Governing Body may take appropriate action in addition to or instead of issuing a public reprimand. Such action may include but is not limited to, referring the matter to a Hearing Officer as provided by the Ethics Code.

~~LLL.UUU.~~ Nothing herein shall constitute a waiver of any other remedies as may be provided by law for misconduct occurring during a meeting of the Governing Body, including contractual remedies or remedies provided by the Personnel Ordinance.

PASSED, APPROVED and ADOPTED THIS 12th Day of December 2023.

Mayor

ATTEST:

Clerk

TOWN OF EDGEWOOD

Resolution No. 2023-033

**AN ANNUAL RESOLUTION PROVIDING FOR RULES GOVERNING THE
OPERATION AND CONDUCT OF MEETINGS OF THE GOVERNING BODY OF THE
TOWN OF EDGEWOOD (Repealing and Replacing Resolution 2023-030)**

WHEREAS, NMSA 1978 Section 3-14-11 provides, in part that "The governing body of a municipality having a Commission/Manager form of government shall hold meetings at least twice a month. Meetings shall be open to the public and the official records of the meetings shall be open to inspection at all times; and

WHEREAS, the Governing Body recognizes the need for rules of procedure for the efficient and effective conduct of meetings of the Governing Body of the Town of Edgewood.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF EDGEWOOD that the following rules are established for the transaction of business before the Governing Body this 12h day of December 2023:

Definitions

- A. For purposes of this Resolution, the terms set forth below shall be defined as follows:
1. "Chair" means the Mayor, the Mayor Pro Tem or any other member of the Governing Body lawfully charged with conducting a meeting of the Governing Body. For purposes of cross-training, continuity, and redundancy, any member of the Governing body may chair a meeting if charged with conducting that meeting by motion, second, and two-thirds (2/3rds) vote of the Governing Body,
 2. "Clerk-Treasurer" means the Town employee serving as Clerk and Treasurer for the Town of Edgewood.
 3. "Deputy Clerk" means the Town employee serving as Deputy Clerk for the Town of Edgewood.
 4. "Commissioner" means any duly elected or appointed member of the Town Commission of Edgewood.
 5. "Governing Body" includes all Commissioners including the Commissioner appointed as ceremonial Mayor. The Town Manager and Town Attorney shall have a seat, but no vote, at every meeting of the Commission.
 6. "Mayor" means the Commissioner elected by the other commissioners to preside over meetings as Chair. The Mayor/Commissioner serves as the ceremonial head of the municipality. The Mayor does not hire, fire, or supervise municipal employees. Per 3-14-10 NMSA 1978, the Mayor has all powers and duties of a commissioner, including the right to vote upon all questions considered by the Commission. The Mayor is the official head of the municipality for all ceremonial purposes, for the purpose of civil process and for military purposes. During their absence or disability, their duties shall be performed by another member of the Commission, appointed by a majority of the Commission and designated as Mayor Pro Tem.

7. "Mayor Pro Tem" means the Commissioner chosen by the Commission to perform duties of the Mayor, in the Mayor's absence.
8. "Quasi-Judicial Public Hearing" means any Public Hearing required under State Law to be held by the Governing Body to adjudicate individual rights or responsibilities, including specifically but not limited to, zoning decisions, appeals from zoning decisions, subdivision plat approvals, or personnel matters, provided that this does not include matters related to approval of proposed contracts, agreements, or purchases by the Governing Body.
9. "Speaker" means any person who is recognized by the Chair to speak at a meeting, whether a Commission Member, the Clerk, the Treasurer, the Town Manager, the Town Attorney, an employee, staff member, committee member or other person associated with Town government, or a member of the public.
10. "Town Attorney" means the attorney hired by the Commission to provide legal counsel.
11. "Town Manager" means the executive level appointee who serves as the Town's Chief Administrative Officer with executive powers delegated by the Commission. The Town Manager enforces and carries out all ordinances, rules, and regulations enacted by the Commission; employs and discharges all persons engaged in the administrative level band of employees; prepares and submits an annual budget; and makes recommendations to the Commission on all matters concerning the welfare of the municipality. Except when clearly undesirable or unnecessary, the Commission shall request the opinion of the manager on any proposed measure.
12. "Appointee(s)" Appointee means The Town Manager, Treasurer, Clerk, Police Chief, and any other person appointed to any executive level position by the Governing Body. Appointees may only be directed by a motion and vote of the Governing Body and not by any single member of the Governing Body whether Mayor or Commissioner. While not supervised by the Town Manager, Appointees should work closely with and alongside the Town Manager to insure the smooth and efficient operation of the Town government.

Meetings

- B. As provided for in Section 10-15-1 of the New Mexico Open Meetings Act, all regular, special, and emergency meetings will be held as follows:
 1. Regular Meetings are held on the second and fourth Tuesday of each month, beginning March 14, 2023 at the Town of Edgewood Commission Chambers, Edgewood Town Hall 171A State Road 344 at 6:00 PM and shall adjourn at 9:30 PM or earlier. So that Town business might be accomplished in this timeframe, work sessions are held 5:00 PM to 6:00 PM. These work sessions are for non-action items only such as executive sessions, presentations, and other reports.
 2. Special Meetings and Emergency Meetings may be called by any member of the Commission for a time and date certain at a location fully accessible to the public in the Town of Edgewood. Special meetings may be called to facilitate work sessions, including strategic planning sessions, and possible quorums may be at trainings; these may or may not be held in the Town of Edgewood.
 3. Meeting Notices of regular and special meetings of the Commission shall specify the date, time, location, and subject matter of the meeting.
 4. Where notice requirements are not otherwise specified by Ordinance, notices of regular meetings are posted a minimum of three (3) calendar days in advance of the meeting date and in accordance with the Open Meetings Act of the New Mexico Statutes.

5. Where notice requirements are not otherwise specified by Ordinance, notice of special meetings are posted a minimum of three (3) calendar days in advance of the meeting date and in accordance with the Open Meetings Act of the New Mexico Statutes.
6. Notices for regular and special meetings are posted at the following places within the Town of Edgewood:
 - i. Municipal Offices (#171 A State Road 344)
 - ii. Edgewood Community Library (#171 B State Road 344)
 - iii. Mr. Gas Mart (#1 State Road 344)
 - iv. Edgewood Community Center (27 E. Frontage Road)
 - v. Mail & Copy Business Center (Road 2 Marietta Court)
 - vi. Town of Edgewood Website (<http://www.edgewood-nm.gov>)
 - vii. Electronic sign at Chili Hills (Eastbound 1-40 on-ramp)

Minutes

- C. Minutes are prepared by the Clerk or Clerk's administrative assistant under the Clerk's supervision using notes, electronic recordings or other media recordings taken at the meetings. The minutes include the following: the date, time, and place of the meeting; the names of the Governing Body in attendance and those absent; the names of Town Staff present; the agenda items; a brief synopsis of the substance of matters discussed; names of citizens who address the Governing Body and brief synopsis of their comments; a record of any decisions and votes taken which show how each member voted.
- D. Draft minutes may only be amended or modified during public meetings by a motion and vote of the Commission. Any Commissioner moving to modify or amend the minutes must provide the timestamp of the Facebook video recording of the portion of the meeting where the exact and correct verbiage is spoken. The Clerk will confirm the wording change from the video and make the change. If the Clerk cannot confirm the proposed wording change from the video, no change will be made and the matter will be brought before the Commission for review. The minutes are not intended to be a verbatim transcript of the meeting proceedings. Draft minutes shall be prepared within ten working days after the meeting. Meeting minutes can be found on the Town website under Commission Agendas/Minutes/Audio.
- E. Any Commissioner in any subsequent meeting in which minutes are approved may, subject to review for accuracy after review of recordings, request the minutes be modified to indicate the comments or other content more accurately in the minutes.

Conduct of Meetings

- F. Robert's Rules of Order, newly revised, is hereby adopted for the governance of the Governing Body only, in cases not otherwise provided for in these rules.

Distribution of Materials to Governing Body

- G. Agenda and other written materials assembled for distribution to the Governing Body shall be provided electronically via Town e-mail and copies placed in the cabinet provided for that purpose outside the Municipal Offices. It is the responsibility of each member of the Governing Body to check their name slot periodically, to remove materials for preparation in advance of meetings.
 1. Draft Agendas will be provided to the Commissioners on the previous Wednesday before the Regular Meetings and as soon as possible before a Special or Emergency meeting, to allow

- for suggestions and changes by the Commissioners before the Agenda is posted within 72 hours of the meetings.
2. All written material needed for preparation for discussion and/or decision-making by the Governing Body shall be distributed by 6:00 PM on the Friday prior to regular meetings, and as soon as practicable before a Special or Emergency Meeting.
 3. Commissioners may request additional records, documents, and any other information as may be required to perform all acts required for the general welfare of the municipality, except as may conflict with quasi-judicial procedures. The Appointees shall comply with such requests as soon as possible, but not longer than 48 hours.
 4. Commissioners shall not instruct other Appointees or employees to not talk to other Commissioners. The same level of information and communication shall be available to all Commissioners.

Electronic Devices

- H. All electronic devices shall be silenced for the duration of public meetings. This information shall be included in all agendas published by the Town of Edgewood. As a courtesy to the public, a reminder will be given at the beginning of all town meetings.
1. Nothing in this section shall prohibit the arrangements necessary to allow for participation of a Town Official by telephone or electronic device provided that all present at the meeting can hear the Speaker who is participating, and the person on the phone can also hear what is said by the other Speakers.
 2. Recording devices used by the public will be required to be turned off if they interfere with the quality of the sound of the meeting.
 3. Commissioners shall not communicate with each other electronically during meetings as to not violate the Open Meetings Act.

Provision of Rules Governing the Conduct of Meetings Generally

- I. The provisions of this Resolution shall be applied with common sense in order to affect the purpose of this Resolution. The policy of the Town of Edgewood is that meetings of the Governing Body shall be conducted in a professional and courteous manner without personal attacks, hollering, or interrupting Speakers.
- J. Commission Members are expected to be personally present at all meetings of the Governing Body of the Town of Edgewood. In the event it is otherwise difficult or impossible for the Commission Member to attend the meeting in person, Commission Members may participate in meetings of the Governing Body by means of a conference telephone, electronic device, or other similar communications equipment, provided that the requirements of the Open Meetings Act, NMSA (1978), § 10-15-1, et seq. are met.
- K. The agenda for meetings of the Governing Body shall be set as provided by Resolution No. 2023-0___. Each Commissioner has the right to add Agenda items for Discussion and/or Action, provided that each Commissioner shall, supply Agenda-ready language for each item, only add Agenda items for themselves, not for other Commissioners and shall provide any supporting documentation needed for that item for the meeting packet. In order to have an item placed on the Agenda for any regular meeting, it must be submitted to the Clerk by the Wednesday previous to the meeting date by 5:00 PM. If the item is received after the 5:00 PM Wednesday deadline, it will be placed on the next Regular Meeting agenda in the order received. The Clerk is the Commission's secretary per statute and may assist Commissioners with these steps.
- L. Any item of business may be placed on the Consent Agenda if it is believed that no discussion or amendment is needed. At the beginning of the Consent Agenda, the Chair shall ask if

- Commissioners wish to drop items from the Consent Agenda; upon the request of any Commissioner, any item shall be removed from the Consent Agenda and placed on the regular part of the agenda. Items remaining on the Consent Agenda shall be affirmatively acted on by one or more motions, which motion is non-debatable; items remaining on the Consent Agenda may not be amended or substituted.
- M. The Chair shall have the primary authority and responsibility to determine whether discussion at a meeting of the Governing Body is proceeding properly within the scope of items set forth in the agenda for that meeting.
 - N. Any person wishing to participate as a Speaker at a meeting of the Governing Body shall first ask to be recognized by the Chair.
 - O. The Chair shall have authority to determine the order in which Speakers shall be recognized and determine when discussion on a matter appears to have concluded, subject to the other provisions of this Resolution.
 - P. Should the Chair determine that any Speaker is or will be addressing matters that are not properly within the scope of items set forth in the agenda, or is otherwise in violation of this Resolution, the Chair is authorized to declare the Speaker out of order.
 - Q. Should the Chair determine that any discussion addresses matters that are not properly within the scope of items set forth in the agenda, has concluded, or is otherwise in violation of this Resolution, the Chair is authorized to declare further discussion on said subject out of order.
 - R. Any Speaker who is determined to be out of order by the Chair shall cease speaking immediately upon said determination. If any discussion is determined by the Chair to be out of order, said discussion shall immediately cease.
 - S. A Commission Member other than the Chair may seek to allow a Speaker to resume speaking or to reopen a discussion after the Chair has ruled the Speaker or discussion is out of order by making a motion to reopen discussion. The Speaker may resume speaking or discussion may be resumed if said motion is seconded and a majority of the quorum votes in favor of the motion.
 - T. Multiple motions to reopen discussion are not favored. Upon denial of a motion to reopen discussion, discussion may be reopened.
 - 1. At a subsequent meeting where the matter at issue is properly included on the agenda, and
 - 2. Upon a showing by a Commission Member that additional facts or circumstances exist to justify reopening discussion. After a Commission Member has explained the grounds to reopen discussion under this subsection, the Governing Body shall vote whether to reopen discussion or to table the agenda item. A majority of the quorum present shall determine whether to reopen discussion under this subsection.
 - U. A Commission Member, the Town Manager, the Clerk, Treasurer, Chief of Police, or the Town Attorney may seek a determination that a Speaker or discussion is out of order by bringing the matter to the attention of the Chair by raising a Point of Order. The Chair shall then determine whether the Point of Order is well taken or not well taken and shall determine whether a Speaker is out of order.
 - V. The Chair shall recognize any Commission Member who wishes to speak, unless under the circumstances said Commission Member's speech would be out of order under or otherwise in violation of this Resolution.
 - W. If the Town Manager, Clerk, Treasurer, Chief of Police, the Town Attorney, an employee, staff member, committee member or other person associated with Town government asks to be recognized on a matter involving that individual's area of special knowledge or expertise, or work on behalf of the Town, that person shall be recognized, unless the Chair determines that the proposed Speaker would be out of order under or otherwise in violation of this Resolution.

- X. Members of the general public who ask to speak shall be recognized to speak during appropriate portions of a meeting of the Governing Body for specific lengths of time as set out below. This includes specifically:
 - 1. Individuals who have been invited to present information to the Governing Body with regards to particular agenda items, five minutes, and
 - 2. Members of the public during public comment segments of the agenda, two minutes, and
 - 3. Members of the public during public comment segments of the agenda may yield their two minutes to another speaker, and
 - 4. Members of the public at hearings on a proposed ordinance after a motion is properly made and seconded by the Governing Body to approve said ordinance and prior to the vote on said proposed ordinance, five minutes.
- Y. Notwithstanding the provisions of subsection U., the Chair retains authority to determine that a member of the public who wishes to participate as a Speaker is out of order or otherwise in violation of this Resolution. The provisions of Subsection U. do not apply to Quasi-judicial public hearings, which shall be governed as provided by Section H below.
- Z. If a member of the Governing Body wishes to hear from a member of the Public seated in the audience, the Chair will ask the remainder of the Governing Body whether they wish to hear from the individual. If there is a majority vote, the member of the Public will be heard from.
- AA. In any procedural matter not otherwise covered by this Resolution, the most current edition of Robert's Rules of Order shall apply, provided such rules will be interpreted in a commonsense fashion to affect the purpose of this Resolution.

Provision of Rules Governing Motions Commission Members

- BB. When an agenda item contains a provision for action to be taken by the Governing Body, it shall be the prerogative of Commission Members to make proper motions for action related to that agenda item. Motions should be framed in the positive, so that an affirmative vote will serve to approve a proposed action. A motion to deny an action is also considered a positive motion.
- CC. To make a motion, a Commission Member must first be recognized by the Chair. After the Member has made a motion (and after the motion is seconded or after debate has proceeded), the Chair must then restate it or rule it out of order, then call for discussion.
- DD. Upon the Chair's determination that reasonable discussion has completed on a pending motion, and in the absence of a proper motion to reopen discussion, the Chair shall call for a vote. A proper motion to reopen discussion shall be decided before any additional discussion or action takes place. Per Robert's Rules of Order, in a roll call vote, the roll shall be called by the Clerk in alphabetical order with the Chair voting last.
- EE. A motion on an action item may be withdrawn by the Commission member who made the motion at any time before it is seconded. After it has been seconded a motion may be withdrawn with the consent of a majority of the quorum present. There is no need to obtain the floor to second the motion.
- FF. During the time that a motion has been made and seconded is pending, no other motion shall be recognized by the Chair, other than a motion to amend the pending motion or a motion to reopen discussion as provided in subsection above.
- GG. Friendly amendments are not allowed. Secondary motions, including motions to amend the original motion, are allowed. Secondary motions require a second (or discussion proceeding) and vote prior to the main motion being voted upon.
- HH. Thus, other amendments to a pending motion shall be allowed if seconded (or discussion proceeding) and if a majority of the quorum present affirmatively vote to allow the amendment. Such an affirmative vote shall have no effect other than to amend the motion on the floor and

shall not constitute a vote to approve either the original motion or the amended motion (if it was already amended).

- II. Motions to reconsider or move the previous question may be made by any Commissioner. Commissioner motions to postpone to a certain time or to postpone indefinitely, properly seconded, may be used to facilitate additional staff follow-up, research, or investigation.
- JJ. Whenever the Governing Body has voted upon a matter on the agenda, it shall be presumed that further discussion by a Speaker regarding that matter is out of order. Provided, however, that this provision shall not limit the prerogative of a Commission Member to propose an alternative motion unless upon Motion by the Chair, a majority of the quorum present determine said alternative motion to be out of order.
- KK. The Chair (Mayor or Mayor Pro Tem) controls access to the floor. It is Out of Order to speak unless granted by the floor except for 1) Point of Order and 2) Certain Privileged Motions.
- LL. Traditionally, the person making the motion initiates discussion/debate on the matter at hand. Discussion/debate must be confined to the Question before the Body. Debate should be addressed to the Chair and not to the members of the Commission. Commissioners may ask questions of another Commissioner but should not interrogate another Member or person speaking from the public except through the Chair. Commissioners may ask questions of staff or the Town Attorney. There is no time limit on debate or discussion or limitation on the rounds of debate.
- MM. The Chair (or the Governing Body) may set reasonable time limits in debate. Time may be extended or limited upon a majority vote of the Body.
- NN. It is the right of every member who notices a breach of the rules to insist on their enforcement thereby calling upon the Chair for a ruling and enforcement.
- OO. The Chair may recognize a Commission Member on a point of personal privilege or parliamentary inquiry.

Provision of Rules Governing Appointments to Boards, Commissions, Committees, and Sub-committees

- PP. Appointments shall be sent to the Commission separately for individual consideration. An appointment shall be considered at the next regular meeting of the Commission. Any Commissioner may recommend a proposed appointee. Proposed appointments shall be distributed to the Commission as soon as practical, but in no event less than 72 hours before any meeting.
- QQ. In the event any Commissioner is selected to sit on a procurement selection committee, the Manager shall be obligated to fairly rotate all Commissioners into such procurement selection committees before a Commissioner may be re-seated on any such committee.
- RR. The Clerk and Mayor shall track all appointments, terms, and resignations to ensure all positions on all internal and external positions remain filled.
- SS. Commissioners and the executive level Appointees shall report a summary to the Commission after each meeting they attend on behalf of the Town at the next regularly scheduled Commission meeting.

Provision of Rules Governing the Conduct of Quasi-Judicial Public Hearings

- TT. When a matter comes before the Governing Body for determination that, under State Law, is to be determined by the Governing Body acting in a quasi-judicial capacity, only Commission Members, the Town Attorney, or witnesses who are determined by the Chair to have testimony relevant to the matter under consideration shall be qualified to participate as Speakers in that matter.

- UU. The Rules of Evidence shall not apply to the conduct of such hearings, provided that the Governing Body shall base its decision on evidence that constitutes adequate factual grounds to support its decision under applicable law. Comments by Speakers who are properly determined to be out of order shall not be relied upon as grounds upon which the Governing Body bases its decision.
- VV. All witnesses shall be required to take an oath as provided by law.
- WW. The Chair shall be responsible for the general conduct of proceedings on matters to be heard under this Section, provided that in the Chair's discretion, the Town Attorney may provide advice to the Chair regarding the procedures to be followed.
- XX. If a party to the matter at issue is represented by an attorney at the meeting, the attorney of that party may conduct a direct examination of any witness presenting testimony in support of the party's position, provided that the Chair retains the authority to exercise reasonable control over the manner, extent, and subject of such questioning and testimony so long as the party is reasonably able to place into evidence the facts necessary to support its position.
- YY. If a party is not represented by an attorney, a witness who wishes to present testimony on behalf of that party shall be allowed to present in narrative form the facts which, to the witness' personal knowledge, support that party's position. Provided, however, that the Chair retains authority to exercise reasonable control over such testimony.
- ZZ. Following the completion of direct testimony by any witness as provided above, Commission Members or, at the Chair's discretion, the Town Attorney shall be allowed to ask such additional questions as may be reasonably necessary to allow the Governing Body to reach its decision. Provided, however, that the Chair retains authority to exercise reasonable control over such questioning and testimony.
- AAA. Following questioning by the Commission members and/or the Town Attorney, any other party who has a legally cognizable interest in the matter shall be allowed to ask questions of the witness. An attorney representing the cross-examining party may conduct such questioning on behalf of the cross-examining party. Provided, however, that the Chair retains authority to exercise reasonable control over such questioning and testimony.
- BBB. Following any questioning by the party, the party's attorney, Commission Members, the Town Attorney, and another party or that party's attorney, further questions will be allowed only upon a determination by the Chair that such questions are reasonably necessary to allow for a full and fair determination of the matter at hand.
- CCC. Subject to any appeal process indicated in the Planning Ordinance, in addition to testimony, a party with a legally cognizable interest in a matter to be determined shall be allowed to present other evidence, including maps, plans, photographs, or other physical evidence that may reasonably aid the Governing Body in making a full and fair determination of the matter at hand. Provided, however, that the Chair retains authority to exercise reasonable control over the presentation of such evidence.
- DDD. The Chair may require a party wishing to present physical evidence to provide testimony sufficient to establish that the evidence is genuine and relates to the matter to be determined. A Commission Member or the Town Attorney may, by point of order, request the Chair to require the presentation of such foundational evidence.
- EEE. After a party with a legally cognizable interest in the matter to be determined has completed the presentation of evidence in support of its position, any other party with a legally cognizable interest in said matter shall be allowed to present its evidence. The Chair shall determine the order of the parties presenting evidence.
- FFF. Rebuttal evidence shall be allowed upon request of a party if it is determined by the Chair that said evidence is necessary to a full and fair determination of the matter at issue.

- GGG. After the presentation of all evidence to be presented upon the matter to be determined under this Section, any party having a legally cognizable interest in the outcome of the hearing, or that party's attorney, shall be allowed to make a closing statement. At the Chair's discretion, the Town Attorney may also present a summary of the facts and law in evidence before the Governing Body in order to aid it in reaching a full and fair determination of the matter at issue. The Chair retains authority to exercise reasonable control over closing statements.
- HHH. Upon the presentation of all evidence and closing statements, the matter shall be decided in a manner consistent with the Open Meetings Act. If the Governing Body engages in further public discussion prior to voting on the matter at hand, the Chair shall not recognize members of the public as competent Speakers in such discussion.
- III. Provisions of Sections above that are not inconsistent with the provisions of this Section shall also apply to quasi-judicial public hearings, including specifically
1. the obligation of speakers to comply with a determination by the Chair that they are out of order,
 2. the prerogative of Commissioners or the Town Attorney to raise a point of order, and
 3. provisions regarding the making of motions. A Commission Member other than the Chair may seek to override a determination made by the Chair pursuant to Section H of this Resolution.

Site Visits

- JJJ. Whenever the Governing Body takes up an appeal of a decision by the Planning & Zoning Commission, it may vote to conduct properly noticed meetings for the purpose of site visits. The objective of the site visit is to provide the Governing Body with a geographic orientation. Members of the public may attend; however, no public testimony, substantive discussion of the issues, or exchange of evidence will be allowed. Visual observations by the Governing Body illustrate the evidence introduced by the parties in the hearing but are not evidence themselves. Independent evidence introduced by a party is required to support any finding.
1. A site visit may be placed on the agenda at the request of a member of the Governing Body.
 2. Whenever possible, a site visit should be scheduled to take place on the same day as the regular meeting during which the matter appears on the agenda.
 3. Prior to the site visit, a regular or special meeting of the Governing Body shall be called to order, at the place and time as advertised on the agenda.
 4. If a site visit is approved by vote of the Governing Body, the meeting will be adjourned for that purpose after the Mayor or Mayor Pro Tem reviews the procedure for site visits.
 5. The Governing Body will conduct all site visits as a group; no member of the Governing Body acting apart from the entire group shall enter a property in order to conduct a site visit.
 6. The merits of the application are not to be discussed while traveling to and from a site visit; ideally each member of the Governing Body will travel to the site individually.
 7. Members of the Governing Body shall not engage in conversation with the press, members of the public, the applicant(s), or their representative(s).
 8. Upon completion of the site visit, the Governing Body shall return to the location of the meeting and reconvene.
 8. The merits of the application are to be discussed only after the Governing Body has reconvened the public meeting in the customary meeting place announced on the agenda.

9. Following a confirmation that no deliberations of the merits of the application took place and no votes were taken, the meeting will continue onto other agenda items or adjourned if the sole reason for the meeting was to conduct the site visit.

Conduct of Executive Session Closed Meetings

- KKK. When a meeting is closed pursuant to the Open Meetings Act, no discussion shall take place during the Closed Session other than regarding the matter or matters identified in the motion to go into Closed Session.
- LLL. No motion, vote, or other action shall take place during Closed Session unless otherwise authorized by the Open Meetings Act, except that the Governing Body may take a procedural vote to reopen discussion should the Chair determine that a speaker or discussion in the Closed Session is out of order. Commissioners are encourage to prepare for Executive Sessions in accordance with the Open Meetings Act.
- MMM. Participants in a Closed Session must be physically or electronically present and comprise a quorum of the Governing Body.
- NNN. In order to enter into a Closed Session at an open meeting, a majority of a quorum of the Governing Body shall approve a motion to enter into a Closed Session, which motion shall identify the authority for closure under the Open Meetings Act and state the subject to be discussed with reasonable specificity; the vote shall take place in an open meeting and the vote of each member of the Governing Body shall be recorded in the minutes.
- OOO. Due to the potential for liability and damages to the town, of matters discussed in Closed Session, all discussion is strictly confidential and shall not be disclosed by any participant. Because any recordings of discussions of town matters would constitute Public Records and therefore would be subject to the Inspection of Public Records Act, to protect confidentiality of all discussions, no recordings of any kind are allowed.
- PPP. When the Closed Session is completed and upon reconvening of the open meeting, a statement shall be made affirming that the matters discussed in the Closed Session were limited to those stated in the motion to close, which statement shall be approved by the Governing Body as part of the minutes.
- QQQ. The agenda for a regular, special, or emergency meeting that contains an agenda item where a Closed Session will be called for shall identify the authority for closure under the Open Meetings Act and state the subject to be discussed with reasonable specificity. The agenda item shall be reviewed by the Town Attorney prior to posting the agenda for compliance with the provisions of the Open Meetings Act with respect to the closure.

Enforcement and Penalties

- RRR. Should any Speaker violate the provisions of this Resolution, said Speaker shall be subject to public reprimand upon a majority vote of the Commission. Said reprimand shall be recorded in the minutes of the Governing Body.
- SSS. Should a commissioned law enforcement officer be present at a meeting of the Governing Body, the Chair is authorized to request that said officer act as the Sergeant at Arms in cases where it appears to the Chair that assistance is required to restore order. A Sergeant at Arms is authorized to use lawful force to remove a Speaker, other than a Commissioner, from a meeting if the Speaker refuses to comply with a lawful directive of the Sergeant at Arms. A Commissioner may not be removed or asked to leave a meeting without a majority vote of the Governing Body. The Sergeant at Arms must understand and agree that the directive is in compliance with the law.

- TTT. If a Commission member violates this Resolution in such a manner or with such frequency that said violation or violations constitute a violation of the Town's Code of Ethics or of State Law, the Governing Body may take appropriate action in addition to or instead of issuing a public reprimand. Such action may include but is not limited to, referring the matter to a Hearing Officer as provided by the Ethics Code.
- UUU. Nothing herein shall constitute a waiver of any other remedies as may be provided by law for misconduct occurring during a meeting of the Governing Body, including contractual remedies or remedies provided by the Personnel Ordinance.

PASSED, APPROVED and ADOPTED THIS 12th Day of December 2023.

Mayor

ATTEST:

Clerk

TOWN OF EDGEWOOD

RESOLUTION NO. ~~2023-039~~

2023-047

**A RESOLUTION REGARDING SIGNATORY AUTHORITIES FOR ALL TOWN OF EDGEWOOD BANK
ACCOUNTS AND OTHER OFFICEIAL ACTS**

This Resolution Supersedes No. ~~2022-034~~ 2023-039

WHEREAS, the Governing body for the Town of Edgewood is recognized as the Board of Finance for the Town of Edgewood, New Mexico; and

WHEREAS, the Governing Body for the Town of Edgewood has the authority to grant signature authority to municipal officials and/or municipal employees on bank accounts held by the Town of Edgewood; and

WHEREAS, the Governing Body for the Town of Edgewood has the authority to grant signature authority to municipal officials and/or Municipal employees for purposes of completing other official acts of the Town of Edgewood.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body for the Town of Edgewood, by this resolution, hereby declares as follows:

1. Mayor, Ken Brennan, a municipal official, is granted signature authority for purposes of completing all other official acts of the Town of Edgewood;
2. Mayor Pro Tern, Jerry Powers, a municipal official, is granted signature authority on all bank accounts held by the Town of Edgewood;
3. Commissioner Filandro R. Anaya, a municipal official, is granted signature authority on all bank accounts held by the Town of Edgewood;
4. Mayor Pro Tern, Jerry Powers, a municipal official, is granted signature authority for purposes of completing all other official acts of the Town of Edgewood;
5. Manager, Nina R. McCracken, a municipal official, is granted signature authority on all bank accounts held by the Town of Edgewood;
6. Manager, Nina R. McCracken, a municipal official, is granted signature authority for purposes of completing all other official acts of the Town of Edgewood;
7. Clerk, Rachel Martinez, a municipal official, is granted signature authority on all bank accounts held by the Town of Edgewood;
8. Clerk, Rachel Martinez, a municipal official, is granted signature authority for purposes of completing all other official acts of the Town of Edgewood;

PASSED, APPROVED, and ADOPTED this ~~10th~~ 12th day of ~~December~~ October 2023.