

Town of Edgewood

Agenda

Regular

Tuesday, July 11, 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.

Page

I. WELCOME, INTRODUCTION, & ROLL CALL

- 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

III. PUBLIC COMMENTS ON AGENDA ITEMS

IV. CONSENT AGENDA

- A. Approve/Amend/Disapprove Minutes
 - i. June 27, 2023. 4 - 16
[Regular - 27 Jun 2023 - Minutes](#)
 - ii. July 3, 2023. 17 - 19
[Special Meeting - 03 Jul 2023 - Minutes](#)

V. MATTERS FROM THE COMMISSIONERS

- A. Audrey Jaramillo, Mayor
- B. Jerry Powers, Mayor Pro Tem
- C. Phil Anaya
- D. Ken Brennan
- E. Sterling Donner

VI. MATTERS FROM THE JUDGE

VII. MATTERS FROM THE CLERK

- A. NMML 66th Annual Conference- Farmington, NM- August 30, 2023- September 1, 2023.

VIII. MATTERS FROM THE TREASURER

IX. MATTERS FROM THE CHIEF OF POLICE

X. MATTERS FROM THE TOWN MANAGER

XI. 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, Mayor. (Commissioner Anaya).

XII. DISCUSSION AND ACTION ITEMS

- A. Appointment of Bobby Rush to Planning and Zoning Commission. (Planning and Zoning Manager Brad Hill). 20
[Bobby Rush PandZ](#)
- B. Book Barn Donation. (Manager Perry).
- C. Discussion and Action on working with East Mountain Radio, EPCOR Water and Santa Fe County for Radio Towers. (Manager Perry).
- D. Resolution 2023-029 Bar #5. 21 - 29
[Resolution 2023-029 Bar 5](#)
- E. Approval of Request for a Bar for Purchasing Vehicles for Code Enforcement and Town staff. (Commissioner Anaya).
- F. Call for Public Hearing on Ordinance 2023-007 Zoning Ordinance.
- G. Road Standard Adoption. (Manager Perry).
- H. Approval of Purchase of Tents. (Manager Perry and Clerk McCracken). 30 - 34
[Tent Quote](#)
- I. Discussion, Consideration and Action on Repealing and Replacing Resolution 2023-26. (Commissioner Powers). 35 - 43
[2023-030 REDLINE Operating Resolution](#)
- J. Discussion and Action on Deputy Treasurer/Business and Finance Manager Title. (Manager Perry).
- K. Discussion, Consideration and Action on Dates for the Referendum Vote on Ordinance 2023-002. (Commissioner Powers). 44 - 54
[SpecialElection Res. 2023- Final](#)
- L. Website Update Presentation. (Commissioner Donner).

XIII. PUBLIC COMMENTS

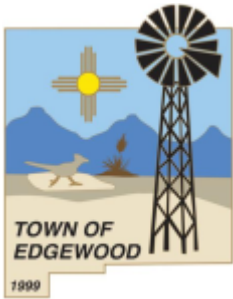
XIV. FUTURE MEETINGS

- A. Parks and Recreation Advisory Committee- July 12, 2023 @ 6:30pm
- B. Library Advisory Board Meeting July 20, 2023, 6:30pm-8:30pm in the Library Activities Room.
- C. Planning and Zoning Commission August 10, 2023 @ 6pm in the Town of Edgewood Commission Chambers.
- D. Economic Development Committe TBD
- E. Lodger's Tax Board- TBD in August.

XV. FUTURE AGENDA ITEMS

- A. Public Hearing on July 25th- Business License Ordinance.

XVI. ADJOURN



Town of Edgewood
Regular Minutes
Tuesday, June 27, 2023, 6:00

I. WELCOME, INTRODUCTION, & ROLL CALL

Mayor Jaramillo called the meeting to order at 6:03 pm and welcomed everyone.

Roll Call:

Present: Commissioner Filandro Anaya, Commissioner Kenneth Brennan, Commissioner Sterling Donner, Commissioner Audrey Jaramillo, and Commissioner Jerry Powers

Absent:

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

Commissioner Brennan motioned to approve the agenda with removal of XI B. Commissioner Powers seconds. All Aye. Motion carried.

III. PUBLIC COMMENTS ON AGENDA ITEMS (5:40)

- A.** Debbie Brennan, 94 Square H RD, Number of minutes that need to be approved. Swore this wouldn't happen again but it is happening.
- B.** Cheryl Huppertz- would like to speak on the minutes. Randy from New Mexico Municipal League suggested no public comments and only motions. XI F, Why are we making plans for property in SF County. Spoke on funding for Church St.
- C.** KR Scott- Xi E-G Equestrian Center, thank you for acting on this on behalf of the Parks and Recreation Committee.
- D.** No one online.

IV. CONSENT AGENDA

A. Approve/Amend/Disapprove Minutes (10:10)

- i.** February 28, 2023.

- ii. March 14, 2023.
- iii. March 28, 2023.
- iv. April 11, 2023.
- v. May 9, 2023.
- vi. May 23, 2023.
- vii. June 13, 2023.
- viii. June 20, 2023.

Commissioner Jerry Powers moved to Remove the Redline Drafts and Approve the Drafts Under the Consent Agenda.

Commissioner Sterling Donner seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Nay</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 4 to 1.

Mayor Jaramillo motioned to amend what was suggested. No second motion died.

Commissioner Brennan motioned to call the question. Commissioner Donner seconded. All Aye.

V. MATTERS FROM THE COMMISSIONERS

A. Audrey Jaramillo, Mayor

- i. Received invitation to participate in Tijeras' 50th Anniversary Celebration on Saturday July 29th at 10am with a parade from Town Hall to Veteran's Memorial.

B. Jerry Powers, Mayor Pro Tem

- i. Donation of Equestrian Center from SFC to Edgewood; worked with Commissioner Anaya on acquiring. Worked with Santa Fe County on 5 Martin RD. Attended a meeting with a tour of the Wastewater Treatment Plant.

C. Phil Anaya

- i. Passed.

D. Ken Brennan

- i. 4th of July Celebration will be fun and exciting. Reminded about laser show and will be in this week's paper.
Anthony, NCRTD Executive Director will come to address Commission on July 25th meeting.

E. Sterling Donner

- i. Numerous 5g providers are interested in moving to Edgewood and hopeful for more higher speed internet.

VI. MATTERS FROM THE CLERK

- A. Received invite to Election School in Albuquerque August 14-16, 2023.
IPRAs caught up.
Begin Records Destruction.
Town Birthday Party and welcome for new employees Friday (June 30th).

VII. MATTERS FROM THE TREASURER

- A. Approval of interim budget received.
Will not be able to meet the deadline for July 25th meeting for final budget need special meeting.
Stenographer- calculation of cost: \$21,000.
- B. Department Report

Commissioner Jerry Powers moved to accept the finance report.
Commissioner Sterling Donner seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

VIII. MATTERS FROM THE CHIEF OF POLICE

- A. JR Police Academy- thank all the surrounding agencies. Huge success. Thank you to maintenance for helping.
- B. Department Report.

**Commissioner Kenneth Brennan moved to approve EWPD report.
Commissioner Sterling Donner seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

IX. MATTERS FROM THE TOWN MANAGER

- A. Thank you to K.R. Scott for working on laser light show. Linda Burke has worked hard on YES! Program.
Discussed Wastewater Treatment plant- smell has improved. Plant meets requirements for permit. Road Crew is beginning Appaloosa and should be completed the end of the summer.
Church Street- Thank you to Ms. Huppertz sharing perspective and history. Accurate statement of losing funding but have resolution for reauthorization of Church St.
Equipment is coming and can build roads.
Introduced new employees- Felipe Code Enforcement, Yvonne Paz PandZ
Administrative Assistant and Jimmy Martinez Parks and Recreation Manager.
Items to keep on radar: Book Barn in your head, the renter agreement. Old Town Hall.
Gave two department heads opportunity to address Commissioner: Jimmy Martinez, Parks and Rec Manager, Ben Wiltbank, Project Manager, update on projects.
- B. Department Reports

**Commissioner Sterling Donner moved to approve the department reports.
Commissioner Kenneth Brennan seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

X. CLOSED SESSION (1:55:00)

- A. As per motion and roll call pursuant to NMSA 1978 Section 10-15-1(H) (7) pertaining to threatened or pending litigation in which the public body is or may become a

participant; Specifically County Clerk and Special Election(Clerk McCracken and Commissioner Powers) and MESD South Building (Commissioner Donner).

- 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 update. (Commissioner Powers and Commissioner Donner).

Commissioner Kenneth Brennan moved to move to closed session at 7:12pm
Commissioner Sterling Donner seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

Commissioner Kenneth Brennan moved come back into open session 7:54pm.
Commissioner Sterling Donner seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

- . Mayor Jaramillo affirms only those items on the agenda were discussed and no decisions were made. All Affirm.

XI. DISCUSSION AND ACTION ITEMS (1:55:32)

- A. Discussion and Action on Closed Session Items Above.

Commissioner Jerry Powers moved to approve the revised Clerk's contract as presented.
Commissioner Kenneth Brennan seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

Mayor Jaramillo clarified it is addition of Deputy Town Manager title to authorize Clerk to be acting Town Manager if Town Manager is out.

Commissioner Audrey Jaramillo moved for Town Manager to begin discussions with Todd Bibiano.

Commissioner Kenneth Brennan seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

- B. Attorney budget for each commissioner. (Commissioner Brennan motioned from May 23, 2023).
- C. Call for Public Hearing: Business License Ordinance. (Clerk McCracken).

Commissioner Kenneth Brennan moved hold public hearing on Business License Ordinance set by Clerk McCracken (July 25th).

Commissioner Sterling Donner seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

- D. Approval of Implementation of Pay Scale, Approved Starting Point of Range and

Town Manager. (Manager Perry, Clerk McCracken and Treasurer Steininger).

**Commissioner Sterling Donner moved to approve implementation of pay scale.
Commissioner Jerry Powers seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

- E. Applying to Santa Fe County for Donation of 91 & 97 West Frontage Rd (Edgewood Equestrian Center). (Mayor Jaramillo).
- F. Identifying the Town's Short, Mid, and Long-term Plans for the Edgewood Equestrian Center. (Mayor Jaramillo).

**Commissioner Jerry Powers moved to authorize the Town Manager to submit the letter with Short, Mid and Long-Term plans as discussed tonight.
Commissioner Filandro Anaya seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

- G. Discussion Consideration and Action On Resolution 2023-025 Requesting Donation of 91 and 97 W frontage Rd. Edgewood NM (Edgewood Equestrian Center) From Santa Fe County. (Commissioner Anaya, Commissioner Powers).

Commissioner Sterling Donner moved to approve Resolution 2023-025 Requesting Donation of 91 and 97 W Frontage RD, Edgewood, NM from Santa Fe County.

**Commissioner Powers- motioned to amend Operation, Maintenance and all Cost Associated.
Mayor Jaramillo- 4th whereas capitalize Town .
Commissioner Anaya- Add acreage. (20.59 acres)**

Commissioner Jerry Powers seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

H. Deputy Manager Job Description. (Commissioner Powers and Commissioner Donner).

Commissioner Jerry Powers moved to postpone it indefinitely.

Commissioner Sterling Donner seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

I. Retreat Date and Location. (Commissioner Powers).

Commissioner Jerry Powers moved to cancel retreat and hold a workshop here to discuss and do strategic planning.

Friendly amendment Mayor Jaramillo to hold the workshop at Manzano Day Camp. Declined by Commissioner Powers.

Mayor Jaramillo. Amend motion to hold the workshop/strategic planning at another location (2 recommended). Commissioner Brennan seconded. Powers nay, Brennan aye, Jaramillo aye, Anaya nay, Donner nay.

Commissioner Powers called the question.

Commissioner Powers amend motion to be in the afternoon.

Commissioner Donner amendment to July 18th for special meeting. Commissioner Powers seconded.

Mayor Jaramillo unavailable.

Commissioner Powers called the question.

Commissioner Filandro Anaya seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

Commissioner Audrey Jaramillo moved to have workshop the afternoon of Friday July 7th to Saturday July 8th getting out early afternoon.

Commissioner Kenneth Brennan seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Nay</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Nay</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Nay</i>

The Motion DEFEATED. 2 to 3.

Commissioner Audrey Jaramillo moved to have strategic planning on July 7th.

Commissioner Kenneth Brennan seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Nay</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Nay</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Nay</i>

The Motion DEFEATED. 2 to 3.

J. Regina Gaysina RBC Presentation- GO Bond. (Commissioner Powers and Manager Perry).

Commissioner Jerry Powers moved for Town Manager to select road project that fits the funds

**and to get language changed for ballot for approval of voters.
Commissioner Sterling Donner seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

- K. Discussion and action on Referendum on Ordinance 2023-002 and GO Road Bond to be placed on the November Ballot. (Commissioner Powers).
- L. Rejection of Special Election by County Clerk. (Commissioner Donner).
- Commissioner Donner updated public on special election rejection and possibility of November Ballot or Special Election in February.
- M. Approval of Resolution 2023-027 Restriction for the Use of Gross Receipts Tax Derived from Construction Activities. (Planning and Zoning Manager Brad Hill).

**Commissioner Sterling Donner moved to approve Resolution 2023-027 Restriction for the Use of Gross Receipts Tax Derived from Construction Activities with suggested Edits.
Commissioner Jerry Powers seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

- N. Amendment to Operating Resolution. (Commissioner Powers).

**Commissioner Jerry Powers moved to adopt 2023-026 Operating Resolution with changes in A 1.
Commissioner Filandro Anaya seconded the motion.**

Commissioner Jaramillo- amendment at the request of the chair. Commissioner Powers rejected.

Commissioner Brennan amendment 2/3s vote of Governing Body. Commissioner Powers and Commissioner Anaya accept.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

O. Resolution 2023-028 Church Street Agreement. (Manager Perry).

Commissioner Sterling Donner moved approve resolution 2023-028 Church Street Agreement. Commissioner Kenneth Brennan seconded the motion.

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

P. Approval for procurement of Generator for Wastewater Treatment Plant.
(Commissioner Powers).

Commissioner Jerry Powers moved to approve for procurement of generator for wastewater treatment plant.

Commissioner Sterling Donner seconded the motion.

Capacity would be for highest demand of sewer plant (50kw)

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>

Regular
June 27, 2023

Commissioner Sterling Donner *Aye*
Commissioner Audrey Jaramillo *Aye*
Commissioner Jerry Powers *Aye*

The Motion Carried 5 to 0.

XII. PUBLIC COMMENTS

- A. Debbie Brennan- For retreat could be at Fat Piper, Equestrian Center- Donkey Expo.
- B. Cheryl Huppertz- Thank Manager Perry for finding money and persistence.
- C. Ralph Hill- Equestrian Center- Overnight camping facilities for long range goals.

XIII. FUTURE MEETINGS

- A. Regular Commission Meeting June 27, 2023 @ 6:00 pm in the Town of Edgewood Commission Chambers.
- B. Regular Commission Meeting July 11th, 2023 @ 6:00 pm in the Town of Edgewood Commission Chambers.
*Public Hearing on Zoning Ordinance.

XIV. FUTURE EVENTS

- A. Retreat July 8th-9th @ Inn of the Mountain Gods.
- B. July 4th Celebration. Car Show, Route 66 Arts Alliance, Family Picnic.

XV. FUTURE AGENDA ITEMS

- A. Public Hearing on Ordinance 2023-007 Zoning Ordinance on July 11th, 2023.

XVI. ADJOURN

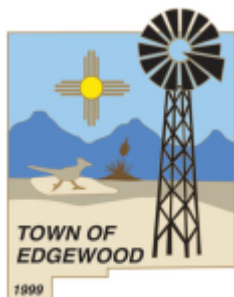
- A. **Commissioner Brennan motioned to adjourn. Commissioner Donner seconded.**
Mayor Jaramillo adjourned the meeting at 9:21pm.

Passed, Approved and Adopted on July 11th, 2023

ATTEST:

Audrey J. Jaramillo, CMO, Mayor

Nina R. McCracken, Clerk



Town of Edgewood
Special Meeting Minutes
Monday, July 3, 2023, 6:00

I. WELCOME, INTRODUCTION, & ROLL CALL

Mayor Jaramillo called the meeting to order at 6:01 pm and welcomed everyone.

Roll Call:

Present: Commissioner Filandro Anaya, Commissioner Kenneth Brennan, Commissioner Audrey Jaramillo, and Commissioner Jerry Powers

Absent: Commissioner Sterling Donner (Joined meeting at 6:04pm).

A. Pledge of Allegiance

B. Invocation

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 (3:03)

Commissioner Powers moved to approve tonight's agenda. Commissioner Brennan seconded. All Aye.

III. PUBLIC COMMENTS ON AGENDA ITEMS

None

IV. CLOSED SESSION (3:37)

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, Town Treasurer Contract. (Commissioner Anaya).

Commissioner Kenneth Brennan moved to go into closed session 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 Treasurer Contract. Commissioner Sterling Donner seconded the motion.

Commissioner Filandro Anaya Aye

<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

Closed session began at 6:04pm.

**Commissioner Kenneth Brennan moved to come back into session at 8:33pm.
Commissioner Sterling Donner seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

Mayor Jaramillo affirms only the items on the agenda we discussed and no decisions were made during closed session,

V. DISCUSSION AND ACTION ITEMS

A. Discussion and Action on Closed Session Item Above. (2:33:07)

**Commissioner Jerry Powers moved to give 30-day notice to the Treasurer per the contract and place on administrative leave with pay.
Commissioner Filandro Anaya seconded the motion.**

<i>Commissioner Filandro Anaya</i>	<i>Aye</i>
<i>Commissioner Kenneth Brennan</i>	<i>Aye</i>
<i>Commissioner Sterling Donner</i>	<i>Aye</i>
<i>Commissioner Audrey Jaramillo</i>	<i>Aye</i>
<i>Commissioner Jerry Powers</i>	<i>Aye</i>

The Motion Carried 5 to 0.

Commissioner Anaya recommended that the Information Technology (IT) department deletes all accesses to accounting, emails and necessary procedures.

VI. PUBLIC COMMENTS

NONE

VII. FUTURE MEETINGS

- A. Regular Commission Meeting July 11th, 2023 @ 6pm in the Town of Edgewood Commission Chambers.

VIII. FUTURE EVENTS

- A. 4th of July Event 7:30am - 9:30pm; Laser Light Show begins at 9:00pm.

IX. ADJOURN

Commissioner Donner moved to adjourn. Commissioner Brennan seconds. All Aye.

Mayor Jaramillo adjourned the meeting at 8:37pm.

Passed, Approved and Adopted on July 11th, 2023.

ATTEST:

Audrey J. Jaramillo, CMO, Mayor

Nina McCracken, Clerk

June 26, 2023

Brad Hill
Planning and Zoning Manager
Edgewood, NM

Dear Mr. Hill,

This letter is to inform you I'm interested in filling a Planning and Zoning commissioner position.

I've been an Edgewood resident for the past thirty-five plus years. I'm a Sandia National Laboratory retiree with thirty-six plus years of service. My highest level of education is a Master of Science in Electrical Engineering from the University of New Mexico.

Sincerely,

Bobby Rush
texrush@comcast.net
505-908-0091

**TOWN OF EDGEWOOD
BUDGET ADJUSTMENT RESOLUTION NO. 2023-029, BAR #5
FY 2022-2023**

WHEREAS, the Governing Body for the Town of Edgewood, has authority for establishing, monitoring, and adjusting the Town's budget; and

WHEREAS, the official meeting for review of said documents was duly advertised in compliance with the State Open Meetings Act; and

WHEREAS, the Governing Body met in regular session on **July 11, 2023**, and proposes to make certain budget: transfer(s), increase(s), or decrease(s) and

WHEREAS, periodic budget adjustments are required to allow for: correct beginning cash balances; new or adjustments to inter-fund transfers; budget increases and decreases to revenues or expenditures; and to correct amounts when required; and

WHEREAS, said budget was adjusted based on need and through cooperation with all user departments, elected officials, and other department supervisors, the budget adjustment(s) and the associated line item(s) with amount(s) as summarized on the attached ***Schedule of Budget Adjustments*** is essential; and

WHEREAS, it is the majority opinion of this Governing Body the adjusted budget meets the requirements as currently determined.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Governing Body for the Town of Edgewood, State of New Mexico, hereby adopts the budget adjustment hereinabove described and attached and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

PASSED, ADOPTED and APPROVED, this _____ day of _____, 2023.

Attest:

Nina R. McCracken, Clerk

Audrey J. Jaramillo, Mayor

(seal)

ENTITY NAME: Town of Edgewood
FISCAL YEAR: FY2022-2023, BAR #5

For Local Government Division use only:

[illegible]

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ATTEST: Nina R. McCracken, Clerk

(Date)

(Date)

Audrey J. Jaramillo, Mayor

TOWN OF EDGEWOOD
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JUNE 30TH, 2023

% OF YEAR COMPLETED: 100.00

100-OPERATING FUND

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
TRANSFERS OUT	1,752,610	21,965.06	2,683,738.83	0.00	931,128.83	153.12
100-400-52000 Transfer Out	1,752,610	21,965.06	2,683,738.83	0.00	931,128.83	0.00
TOTAL TRANSFERS OUT						
NET TRANSFERS	(1,745,097)	21,965.06	2,683,738.83	0.00	938,641.83	153.79
REVENUE & TRANSFERS IN OVER/ (UNDER) EXPENDITURES & TRANSFERS OUT	(3,038,728)	96,152.87	2,843,272.67	304,557.50	109,102.17	103.59
		25,000			<25,000>	211 LEFP
		68,000			<68,000>	503 WASTE WATER
		2,776,738.83			<1,024,128.83>	TOTAL

B7D

1,025,000

TOWN OF EDGEWOOD
BALANCE SHEET
AS OF: JUNE 30TH, 2023

6-30-2023 01:01 PM

211-LAW ENFORCEMENT FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
211-100-10100	Claim on Cash	(22,780.40)
		(22,780.40)
TOTAL ASSETS		
		(22,780.40)
LIABILITIES		
=====		
EQUITY		
=====		
TOTAL REVENUE		
		57,000.00
TOTAL EXPENSES		
		79,780.40
TOTAL REVENUE OVER/(UNDER) EXPENSES		
		(22,780.40)
TOTAL EQUITY & REV. OVER/(UNDER) EXP.		
		(22,780.40)
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.		
		(22,780.40)
=====		

TOWN OF EDGEWOOD
BALANCE SHEET
AS OF: JUNE 30TH, 2023

6-30-2023 01:01 PM

503-WASTEWATER FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
=====		
503-100-10100	Claim on Cash	(67,968.41)
503-100-11500	Wastewater Receivables	4,960.00
503-100-17200	Wastewater Capital Assets	9,881,717.20
503-100-17210	Accumulated Depreciation	(4,375,700.00)
503-100-18120	Deferred Outflows-PERA	6,513.00
503-100-18130	Deferred Outflows-OPFB	7,230.00
		<u>5,456,751.79</u>
TOTAL ASSETS		
		<u>5,456,751.79</u>
=====		
LIABILITIES		
=====		
503-200-20010	Record A/P - Manual (Audit)	39,318.00
503-200-20100	Ap Pending (Due to Pool)	6,937.27
503-200-21110	Accrued Wages & Fica (Audit)	782.00
503-200-22000	Federal Tax Payable	443.83
503-200-22010	Fica/Medicare Payable	414.47
503-200-22020	State Tax Payable	174.19
503-200-22030	PERA Payable	405.88
503-200-22040	Insurance Payable	284.61
503-200-22050	RCA Payable	45.50
503-200-22080	Unapplied Credit Payable	480.39
503-200-22100	Accrued Interest Payable	1,593.00
503-200-24000	NMED RIP 2008-09 Loan	197,797.00
503-200-28020	Net PERA Liabilities	30,211.00
503-200-28030	Net OPEB Liabilities	20,614.00
503-200-28110	Deferred Inflows-PERA	13,050.00
503-200-28130	Deferred Inflows-OPFB	11,520.00
		<u>324,071.14</u>
TOTAL LIABILITIES		
=====		
EQUITY		
=====		
503-200-29000	Fund Balance	4,781,249.42
		<u>4,781,249.49</u>
TOTAL BEGINNING EQUITY		
=====		
TOTAL REVENUE		
=====		
TOTAL EXPENSES		
=====		
TOTAL REVENUE OVER/(UNDER) EXPENSES		
		<u>843,756.06</u>
		<u>422,324.90</u>
		<u>351,431.16</u>
TOTAL EQUITY & REV. OVER/(UNDER) EXP.		
		<u>5,132,680.65</u>
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.		
		<u>5,456,751.79</u>
=====		

6-30-2023 01:02 PM

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TOWN OF EDGEWOOD
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JUNE 30TH, 2023

211-LAW ENFORCEMENT FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 100.00

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
REVENUE SUMMARY						
LAW ENFORCE PROTECT FUND						
GRANTS	57,000	0.00	57,000.00 (	2,879.88)	2,879.88	94.95
TOTAL LAW ENFORCE PROTECT FUND	57,000	0.00	57,000.00 (	2,879.88)	2,879.88	94.95
TOTAL REVENUES	57,000	0.00	57,000.00 (	2,879.88)	2,879.88	94.95
EXPENDITURE SUMMARY						
LAW ENFORCE PROTECT FUND						
OPERATING COSTS	57,000	66,625.68	79,780.40	1,462.00 (	24,242.40)	142.53
TOTAL LAW ENFORCE PROTECT FUND	57,000	66,625.68	79,780.40	1,462.00 (	24,242.40)	142.53
TOTAL EXPENDITURES	57,000	66,625.68	79,780.40	1,462.00 (	24,242.40)	142.53
REVENUE OVER/(UNDER) EXPENDITURES	0	(	22,780.40)	(	27,122.28	0.00
REVENUE & TRANSFERS IN OVER/ (UNDER) EXPENDITURES & TRANSFERS OUT	0	(	22,780.40)	(	27,122.28	0.00
ENDING FUND BALANCE	0	(	22,780.40)			
ENCUMBERED			1,462.00			
UNENCUMBERED BALANCE		(	24,242.40)			
			=====			

Need BAR for Cash Transfer
BAR 25,000

TOWN OF EDGEWOOD
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JUNE 30TH, 2023

399-CAPITAL PROJECTS FUND

% OF YEAR COMPLETED: 100.00

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
POLICE =====						
CAPITAL PURCHASES						
LIBRARY =====						
CAPITAL PURCHASES						
WASTEWATER SYSTEM =====						
CAPITAL PURCHASES						
399-415-48017 NM SAP 19	63,818	0.00	388,094.76	0.00 (	324,276.76)	608.13
399-415-48018 NM SAP 19 SIB	353,967	0.00	0.00	0.00	353,967.00	0.00
399-415-48019 NM SAP 20 SIB	503,614	0.00	926,305.28	0.00 (	423,691.28)	183.93
TOTAL CAPITAL PURCHASES	921,399	0.00	1,314,400.04	0.00 (	393,001.04)	142.65
TRANSFERS OUT						
TOTAL WASTEWATER SYSTEM	921,399	0.00	1,314,400.04	0.00 (	393,001.04)	142.65
TOTAL EXPENDITURES	2,246,482	0.00	1,425,714.08	0.02	820,767.90	63.46
REVENUE OVER/(UNDER) EXPENDITURES	0	176,735.65	870,943.85 (	0.02)	870,943.83)	0.00
TRANSFERS IN						
399-315-39000 Transfer In	272,690	0.00	1,404,149.16	0.00 (	1,131,459.16)	514.93
TOTAL TRANSFERS IN	272,690	0.00	1,404,149.16	0.00 (	1,131,459.16)	514.93
TRANSFERS OUT						
NET TRANSFERS	272,690	0.00	1,404,149.16	0.00 (	1,131,459.16)	514.93
REVENUE & TRANSFERS IN OVER/ (UNDER) EXPENDITURES & TRANSFERS OUT	272,690	176,735.65	2,275,093.01 (	0.02)	2,002,402.99)	834.31

6-30-2023 01:03 PM

TOWN OF EDGEWOOD
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JUNE 30TH, 2023

PAGE: 74

503-WASTEWATER FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 100.00

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
REVENUE SUMMARY						
WASTE WATER						
MUNICIPAL TAXES	133,681	73.55	405.63	0.00	133,275.37	0.30
CHARGES FOR SERVICES	68,637	0.00	65,534.70	0.00	3,102.30	95.48
TRANSFER IN	1,165,333	0.00	777,815.73	0.00	387,517.27	66.75
TOTAL WASTE WATER	1,367,651	73.55	843,756.06	0.00	523,894.94	61.69
TOTAL REVENUES	1,367,651	73.55	843,756.06	0.00	523,894.94	61.69
EXPENDITURE SUMMARY						
WASTE WATER						
SALARIES & WAGES	116,384	5,660.56	55,003.67	0.00	61,380.33	47.26
EMPLOYEE BENEFITS	49,293	100.74	21,123.66	0.00	28,169.34	42.85
TRAVEL	3,500	811.25	3,275.68	0.00	4,775.68	236.45
PROPERTY SERVICES	92,500	5,492.66	44,609.30	37,968.75	9,921.95	89.27
CONTRACTUAL SERVICES	172,000	44,590.87	196,178.94	6,628.00	30,806.94	117.91
SUPPLIES	60,986	3,023.76	34,051.81	7,856.76	19,077.43	68.72
OPERATING COSTS	84,800	14,423.57	104,904.25	80.00	20,184.25	123.80
CAPITAL PURCHASES	33,000	0.00	0.00	0.00	33,000.00	0.00
PROFESSIONAL SERVICES	28,172	0.00	28,177.59	0.00	0.41	100.00
TOTAL WASTE WATER	640,641	74,103.41	492,324.90	52,533.51	95,782.59	85.05
TOTAL EXPENDITURES	640,641	74,103.41	492,324.90	52,533.51	95,782.59	85.05
REVENUE OVER/ (UNDER) EXPENDITURES	1,165,333	74,020.00	351,431.16	52,533.51	428,112.35	41.11
TRANSFERS IN	1,165,333	0.00	777,815.73	0.00	387,517.27	66.75
NET TRANSFERS	1,165,333	0.00	777,815.73	0.00	387,517.27	66.75
REVENUE & TRANSFERS IN OVER/ (UNDER) EXPENDITURES & TRANSFERS OUT	1,892,343	74,029.76	1,129,246.89	52,533.51	815,629.62	56.90
BEGINNING FUND BALANCE	4,781,249		4,781,249.49			
ENDING FUND BALANCE	6,673,592		5,910,496.38			
ENCUMBERED			52,533.51			
UNENCUMBERED BALANCE			5,857,962.87			

TOWN OF EDGEWOOD
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JUNE 30TH, 2023

211-LAW ENFORCEMENT FUND

% OF YEAR COMPLETED: 100.00

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
LAW ENFORCE PROTECT FUND						
=====						
OPERATING COSTS						
211-416-47211 Other Operating Costs	57,000	66,625.68	79,780.40	1,462.00 (	24,242.40)	142.53
TOTAL OPERATING COSTS	57,000	66,625.68	79,780.40	1,462.00 (	24,242.40)	142.53
TOTAL LAW ENFORCE PROTECT FUND	57,000	66,625.68	79,780.40	1,462.00 (	24,242.40)	142.53
TOTAL EXPENDITURES	57,000	66,625.68	79,780.40	1,462.00 (	24,242.40)	142.53
REVENUE OVER/(UNDER) EXPENDITURES	0 (	66,625.68)	22,780.40)	4,341.88)	27,122.28	0.00
TRANSFERS IN						
TRANSFERS OUT						
REVENUE & TRANSFERS IN OVER/ (UNDER) EXPENDITURES & TRANSFERS OUT	0 (	66,625.68)	22,780.40)	4,341.88)	27,122.28	0.00



420 Hudson River Rd
Waterford NY 12188

Phone: 518-233-8368
Fax: 518-233-0168
E-Mail: sales@wemaketents.com

Quote SO0052135

Quoted: 2/21/2023

Requested: 2/21/2023

Promised:

Bill To

Town of Edgewood, NM
P.O. Box 2411
17 McCall Road
Edgewood, NM 87015
P: 505-926-9054 F:

Ship To

23 Frontage Rd.
Edgewood, NM 87015

Terms

Purchase Order

Sales rep

Ship Via

CREDITCARD

40x60,30x40,20x20

BS

Ordered	Item #	Description	Price	Disc	Unit Amt	Amount
1 Ea	50285	Frame: FTKS 40x40 w/ Hip Ends, w/ Keder Legs Eave Height: 8'	\$13,065.60			\$13,065.60
1 Ea	50284	Frame: FTKS 40x 20 Mid w/ Keder Legs Eave Height: 8'	\$4,051.20			\$4,051.20
2 Ea	50321-CST R	Fabric: FTKS 40x 20 Hip End Style: Catenary (Double Straight Valance) Material: 1610 R-S Blockout White	\$3,182.40			\$6,364.80
1 Ea	50324-CST R	Fabric: FTKS 40x20 Mid Style: Catenary (Double Straight Valance) Material: 1610R-S Blockout	\$2,740.80			\$2,740.80
14 Ea	14864	Ratchet: Fred's Standard 2" HD Twisted Hook Ratchet, 7' webbing with (2) d's, 11' with twisted hook	\$30.00			\$420.00
24 Ea	15227	Double Head Stake: 1" x 42" P 3" spacing (150 per box)	\$24.54			\$588.96
0 Ea	15135	Previous (6) items make (1) 40x60 FT Keder System Tents	\$0.00			\$0.00
1 Ea	11499	Frame: 30x40 Center Peak Buckle -15'-10'-15' Spacing 2" Aluminum Frame Includes: Tubing, Fittings, Footpads, Ropes & Stakes Leg Height: 7' 8"	\$3,415.20			\$3,415.20
1 Ea	11646-10S V	Fabric: Solid 30x40' Center Peak Buckle - One Piece Top Material: 1610R-S NOTE: 10" STRAIGHT VALANCE	\$3,876.00			\$3,876.00
-12 Ea	15924	1/2" White Rope - 16'	\$4.00			(\$48.00)
12 Ea	14865	Ratchet: Fred's Standard 1" HD Twisted Hook Ratchet 5' - D Ring, 9'-twisted hook	\$20.40			\$244.80

This quote is valid for 3 days.

Continued

30x > West Coast Style
20x >
40x > Keder frame style
Page 1 of 2

Lodgers
Page 30 of 54
TAX



420 Hudson River Rd
Waterford NY 12188

Phone: 518-233-8368
Fax: 518-233-0168
E-Mail: sales@wemaketents.com

Quote SO0052135

Quoted: 2/21/2023

Requested: 2/21/2023

Promised:

Bill To

Town of Edgewood, NM
P.O. Box 2411
17 McCall Road
Edgewood, NM 87015
P: 505-926-9054 F:

Ship To

23 Frontage Rd.
Edgewood, NM 87015

Terms

Purchase Order

Sales rep

Ship Via

CREDITCARD

40x60,30x40,20x20

BS

Ordered	Item #	Description	Price	Disc	Unit Amt	Amount
1 Ea	15135	Previous (4) items make (1) 30x40 CPB Tent	\$0.00			\$0.00
1 Ea	11488	Frame: 20x20 Center Peak Buckle - 2" Aluminum Frame Includes: Tubing, Fittings, Footpads, Ropes & Stakes Leg Height: 7' 8"	\$2,097.60			\$2,097.60
1 Ea	15135	Fabric: WBO 20x20' Center Peak Buckle - One Piece Top Material: 1410R-B Blockout White w/ 10" STRAIGHT Valance	\$1,236.00			\$1,236.00
-8 Ea	15924	1/2" White Rope - 16'	\$4.00			(\$32.00)
8 Ea	14865	Ratchet: Fred's Standard 1" HD Twisted Hook Ratchet 5' - D Ring, 9'-twisted hook	\$20.40			\$163.20
1 Ea	15135	Previous (4) items make (1) 20x20 CPB Tent	\$0.00			\$0.00
1 Ea	15135	Previous item for installation and takedown	\$0.00			\$0.00
1 Ea	15911	Shipping and handling charges to be added	\$6,500.00			\$6,500.00

This quote is valid for 3 days.

Sub-total \$44,684.16

Sales tax

Total \$44,684.16

Tony 913-609-6668

Best Price AGENDA ITEM #XII.H.

INFINITY

Tent Sales

Since 1982

4908 Winner RD
Kansas City MO 64127
800.475.1444 Tents4Sale.com

800.475.1444 Tents4Sale.com

QUOTE

DATE	QUOTE #
5/16/2023	Q-7512
EST SHIP BY DATE	IN HANDS BY

BILL TO

Cristine Piazza
171A NM344
Edgewood , New Mexico 87015

SHIP TO

Cristine Piazza
171A NM344
Edgewood , New Mexico 87015

cpiazza@edgewood-nm.gov
(505) 281-7267

Item	Description	Qty	Rate	Amt
40 x 60 FRAME TOP	EXPANDABLE WITH LACES AND GROMMETS 17oz WHITE VINYL	1	\$5,670.00	\$5,670.00
30 X 40 FRAME TOP	1 PC TOP, 17OZ VINYL	1	\$2,749.00	\$2,749.00
20 x 20 FRAME TOP	1 PC TOP, 17OZ WHITE VINYL	1	\$1,077.84	\$1,077.84
40 x 60 FRAME PIPE 2"	PIPE, FITTING, ROPE	1	\$6,672.00	\$6,672.00
30 X 40 FRAME PIPE 2"	PIPE, FITTINGS, ROPE	1	\$3,439.00	\$3,439.00
20 X 20 FRAME WORK 2"	PIPE FITTINGS ROPE	1	\$1,920.00	\$1,920.00
METAL STAKE 1" X 42"	SINGLE HEAD	42	\$26.76	\$1,123.92
BASE PLATE	TENT FITTINGS	42	\$30.47	\$1,279.74
2in RATCHET	WIRE HOOK & 'D' RING 10,000 LB	42	\$31.39	\$1,318.38

Payments / Shipping

A 30% non-refundable deposit is due at the time the order is placed (unless with approved credit). If orders are less than \$500, full payment must be made upon acceptance. A higher deposit or full payment maybe required for specialty items. Once we receive the deposit, then the quote will be changed into a confirmed order status. At this time we can schedule your items for production and give a shipping time frame. Payment must be paid in full and certified for at least 2 business days before the order is shipped (unless with approved credit), or your order will be delayed.

Freight charges include standard delivery to a business with a dock or some type of lift to get the product off the truck. Additional charges are, but not limited to, lift gate service, residential delivery, or limited access.

Items will NOT be shipped unless the warranty / sales agreement and the order is signed & returned.

Payments made by credit card are subject to a 3% convenience fee. NO fees for wire transfers, cashier checks, or money orders.

QUOTE valid for 30 Days.

SUBTOTAL	\$25,249.88
SHIPPING	\$2,447.46
	(\$1,200.00)
TAX	\$0.00
TOTAL	\$26,497.34

NOTE: By signing below, I have read the Payments / Shipping information, as well as, the above items, dates, quantity, style & size are correct.

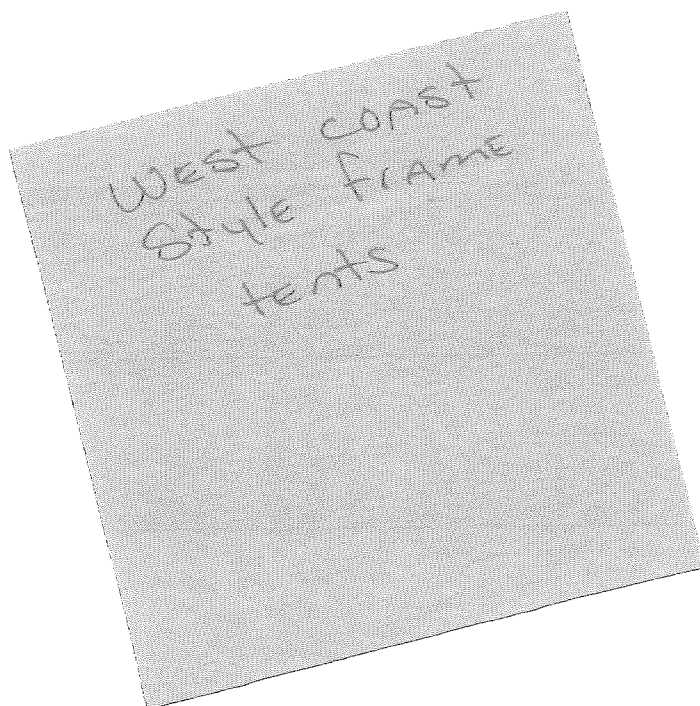
West Coast Style

Authorized Signature _____

Date: _____

THANK YOU FOR YOUR BUSINESS!

Estimate is valid for 30 days





Tent Capacity Chart

TENT SIZE	SQUARE FEET	THEATER STYLE 7 sqft/person	COCKTAILS 8 sqft/person	BANQUET SEATING 10 sqft/person	SIT-DOWN DINNER 12 sqft/person
10'x10'	100	14	13	10	8
10'x20'	200	29	25	20	17
10'x30'	300	43	38	30	25
15'x15'	225	32	28	22	19
15'x30'	450	64	56	45	38
20'x20'	400	57	50	40	33
20'x30'	600	86	75	60	50
20'x40'	800	114	100	80	67
20'x50'	1000	143	125	100	83
20'x60'	1200	171	150	120	100
20'x80'	1600	229	200	160	133
30'x30'	900	129	113	90	75
30'x40'	1200	171	150	120	100
30'x45'	1350	193	169	135	113
30'x50'	1500	214	188	150	125
30'x60'	1800	257	225	180	150
30'x75'	2250	321	281	225	188
30'x90'	2700	386	338	270	225
30'x105'	3150	450	394	315	263
30'x120'	3600	514	450	360	300
40'x40'	1600	229	200	160	133
40'x60'	2400	343	300	240	200
40'x80'	3200	457	400	320	267
40'x100'	4000	571	500	400	333
40'x120'	4800	686	600	480	400
Capitol Pole Tents Only					
40'x140'	5600	800	700	560	467
40'x160'	6400	914	800	640	533
40'x180'	7200	1029	900	720	600
40'x200'	8000	1143	1000	800	667

Tent Sizing Cheat Sheet

- Guest seated at round tables - 12 sq. ft. per person
- Guests seated at banquet tables - 10 sq. ft. per person
- Theater or standing - 7 sq. ft. per person
- Guest standing with some small tables - 8 sq. ft. per person
- Buffet table - 100 sq. ft.
- 4' round cake, beverage, or guest book table - 50 sq. ft.
- 5' round cake or guest book table - 75 sq. ft.
- Gift table - 100 sq. ft.
- Bar - 150 sq. ft.
- DJ booth - 50 sq. ft.
- Band - 30 sq. ft. per person
- Dance floor - 4 sq. ft. per person

An Annual Resolution Providing for Rules Governing the Operation and Conduct of Meetings of the Governing Body of the Town of Edgewood

Whereas, Resolution 2023-~~026-030~~ will replace repeal and ~~update-replace~~ Resolution 2023-~~003-026~~ and

Whereas, Section 3-14-11 of the NM Statutes 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 that the following rules are established for the transaction of business before the Governing Body this 7th day of February 2023:

A. Definitions 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.
- 2) "Clerk" means the Town employee serving as Clerk for the Town of Edgewood.
- 3) "Deputy Clerk" means the Town employee serving as Deputy Clerk for the Town of Edgewood.
- 4) "Treasurer" means the Town employee serving as Treasurer for the Town of Edgewood.
- 5) "Commissioner" means any duly elected or appointed member of the Town Commission of Edgewood.
- 6) "Governing Body" includes all Commissioners including the Commissioner appointed as ceremonial Mayor.
- 7) "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 314-10 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.
- 8) "Mayor Pro Tem" means the Commissioner chosen by the Commission to perform duties of the Mayor, in the Mayor's absence.
- 9) "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.

10) **"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.

11) **"Town Attorney"** means the attorney hired by the Commission to provide legal counsel.

12) **"Appointee(s)"** Appointee means The Town Manager, Treasurer, Clerk, Police Chief, and any other person appointed to any 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.

B. Meetings.

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.

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.

3) **Meeting Notices** of regular and special meetings of the Commission shall specify the date, time, location, and subject matter of the meeting...

a. 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.

b. 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 .

c. Notices for regular and special meetings are posted at the following places within the Town of Edgewood:

- Municipal Offices
- Edgewood Community Library
- Mr. Gas Mart
- Edgewood Community Center
- Mail & Copy Business Center
- Town of Edgewood Website
- Electronic sign at Chili Hills

<http://www.edgewood-nm.gov/>

Eastbound 1-40 on-ramp

4. Minutes. 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.

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 Agendas and Minutes.

- C. Conduct of Meetings: 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. D. Distribution of Materials to Governing Body: 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 one week before each 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 at least three (3) working days prior to regular or special meetings, except in unusual circumstances.

- E. Electronic Devices: 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.

F. Provision of Rules Governing the Conduct of Meetings Generally.

- 1) 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.
- 2) 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.
- 3) The agenda for meetings of the Governing Body shall be set as provided by Resolution No. 2004-07-2023-022. 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.
- 4) 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.
- 5) Any person wishing to participate as a Speaker at a meeting of the Governing Body shall first ask to be recognized by the Chair.
- 6) 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.
- 7) 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.

- 8) 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.
- 9) 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.
- 10) 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 present vote in favor of the motion.
- 11) Multiple motions to reopen discussion are not favored. Upon denial of a motion to reopen discussion, discussion may be reopened
 - (a) at a subsequent meeting where the matter at issue is properly included on the agenda, and
 - (b) 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.
- 12) A Commission Member, the Town Manager, the Clerk, Treasurer, 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.
- 13) 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.
- 14) If the Clerk, Treasurer, 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.
- 15) 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
 - (a) individuals who have been invited to present information to the Governing Body with regards to particular agenda items, *five* minutes
 - (b) members of the public during public comment segments of the agenda, two minutes, and
 - (c) members of the public during public comment segments of the agenda may yield their two minutes to another speaker, and
 - (d) 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.
- 16) Notwithstanding the provisions of subsection 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 14 do not apply to Quasi-judicial public hearings, which shall be governed as provided by Section H below.

- 17) 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.
- 18) 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.

G. Provision of Rules Governing Motions Commission Members.

- 1) 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 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.
- 2) 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
- 3) 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.
- 4) 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 2.
- 5) Friendly amendments 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.
- 6) Other amendments to a pending motion shall be allowed if seconded 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.
- 7) Whenever the Governing Body has voted upon a matter listed in 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.
- 8) The Chair (Mayor or Mayor Pro Tem) controls access to the floor. It is Out of Order to speak unless granted the floor except for 1) Point of Order and 2) Certain Privileged Motions.
- 9) Traditionally, the person making the motion initiates discussion/debate on the matter at hand. Debate/discussion must be confined to the Question before the Body. Debate should be addressed to the Chair and not to the members. One member should not interrogate another member or person speaking from the public except through the Chair.
- 10) 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. 11) 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.

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

- 1) 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.
- 2) 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.
- 3) All witnesses shall be required to take an oath as provided by law.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) 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.

- 11) 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.
- 12) 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.
- 13) 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.
- 14) 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.
- 15) 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.
- 16) Provisions of Sections F and G above that are not inconsistent with the provisions of Section H shall also apply to quasi-judicial public hearings, including specifically
 - (a) the obligation of speakers to comply with a determination by the Chair that they are out of order,
 - (b) the prerogative of Commissioners or the Town Attorney to raise a point of order, and
 - (c) 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.

I. Site Visits: 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.
- 9) 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.
- 10) 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.

J. Conduct of Closed Meetings.

- 1) 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.
- 2) No vote 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.
- 3) 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 roll-call 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.
- 4) Participants in a Closed Session must be physically or electronically present and comprise a quorum of the Governing Body
- 5) 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.
- 6) 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.
- 67) 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.

- 78) 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.

K. Enforcement and Penalties

- 1) 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.
- 2) 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 from a meeting if the Speaker refuses to comply with a lawful directive of the Sergeant at Arms. The Sergeant at Arms must understand and agree the directive is in compliance with the law.
- 3) 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.
- 4) 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.

This Resolution repeals and replaces in its entirety Resolution 2023-03

PASSED, APPROVED and ADOPTED THIS 13th DAY of June 2023.

_Audrey Jaramillo, Mayor CMO _____

ATTEST:

Nina R. McCracken, Clerk

**SPECIAL ELECTION RESOLUTION
TOWN OF EDGEWOOD
Resolution No. 2023- 031**

WHEREAS, a verified petition under Subsection A of Section 3-14-17 NMSA 1978 was filed with the Town Clerk on April 28, 2023, seeking to call for a special election on Ordinance 2023-002 Requiring Abortion Providers in the Town of Edgewood, New Mexico to Comply with Federal Law;

WHEREAS, the Clerk has verified that the petition contains a sufficient number of legal signatures, having determined that the petition contains the signatures of at least twenty (20%) of the qualified electors who voted in the last regular municipal election;

WHEREAS, on June 13, 2023 the Town of Edgewood, Town Commission, adopted a special election Resolution 2023 – 024 proclaiming that a special election be held on August 22, 2023;

WHEREAS, the 2023 – 024 Resolution was filed with the office of the Santa Fe County clerk on Thursday, June 15, 2023;

WHEREAS, in a letter to the Town of Edgewood town clerk, Santa Fe County clerk Katherine Clark declined to allow the request for a special election by all mail referendum vote on ordinance 2023 – 002 to be held on August 22, 2023, the letter is attached hereto as Exhibit A;

WHEREAS, in the letter the Santa Fe County clerk indicated that Resolution 2023 – 024 was not filed with her office in time to have a special local election by all mail ballot on August 22, 2023 as requested in the Resolution, however, the Santa Fe County clerk indicated in Exhibit A that “the referendum question may still be placed on the Regular Local Election ballot (November 7, 2023) as long as my office received a properly executed resolution no later than August 29, 2023; and

WHEREAS, the purpose of this resolution is to comply with the Santa Fe County clerk’s requirement of a properly executed resolution no later than August 29, 2023 and instruct the Town Clerk to provide this Resolution and all other necessary information in support of it to the Santa Fe County clerk so that a referendum vote on the ordinance can be held in conjunction with the regular local election of the town of Edgewood, November 7, 2023

BE IT RESOLVED by the Governing Body of the Town of Edgewood, New Mexico that:

1. A Special Election is hereby proclaimed to be held on **November 7,**

2023, for the purpose of submitting the following ballot question to the qualified electors of the Town of Edgewood with respect to whether the Town of Edgewood should enact Ordinance 2023-002, the text of which is as follows: **AGENDA ITEM #XII.K.**

**"TOWN OF EDGEWOOD, NEW MEXICO - ORDINANCE 2023-002
AN ORDINANCE REQUIRING ABORTION PROVIDERS IN THE TOWN
OF EDGEWOOD, NEW MEXICO TO COMPLY WITH FEDERAL LAW**

***BE IT ORDAINED** by the governing body, that is, the Town Commission of the Town of Edgewood, New Mexico:*

SECTION ONE: FINDINGS AND DECLARATIONS

The Town Commission finds that:

- A. Federal law imposes felony criminal liability on every person who ships or receives abortion pills or abortion-related paraphernalia through the mail, an express service, a common carrier, or an interactive computer service, see 18 U.S.C. §§ 1461-62, and all such acts are predicate offenses under the federal Racketeer Influenced and Corrupt Organizations Act (RICO), see 18 U.S.C. § 1961.*
- B. The State Constitution of New Mexico does not and cannot secure a right, privilege or immunity to act in violation of federal statutes such as 18 U.S.C. §§ 1461-62, or to engage in criminal and racketeering conduct as defined by federal law.*
- C. The members of the Town Commission are bound by oath to support and defend the Constitution of the United States, and the statutory provisions codified at 18 U.S.C. §§ 1461-62 are the "supreme Law of the Land" under Article VI of the Constitution and must be obeyed and respected by every person within the Town of Edgewood and by every judge in the State of New Mexico. See U.S. Const. art. VI ("[T]he Laws of the United States ... shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding:").*
- D. The New Mexico legislature recently enacted House Bill 7, which purports to confer a state-law right to "access or provide reproductive health care....within the medical standard of care" and empowers the Attorney General to sue local jurisdictions that infringe this newly created state-law right.*
- E. But the federal-law restrictions on the shipment or receipt of abortion pills and abortion-related paraphernalia in 18 U.S.C. §§ 1461 and 1462 are the "supreme Law of the Land" under Article VI of the Constitution and trump any state-law right to abortion that might be conferred by HB 7 or the New Mexico Constitution. There is no state-law right to act in defiance of a federal criminal statute, and any state*

law right to abortion must be exercised within the confines of the federal criminal prohibitions established in 18 U.S.C. §§ 1461 and 1462 and the federal partial-birth abortion ban. AGENDA ITEM #XII.K.

- F. *In addition, the state-law right in HB 7 "to access or provide reproductive health care within the medical standard of care" excludes conduct outlawed and criminalized by federal law, such as partial-birth abortion and violations of 18 U.S.C. §§ 1461 and 1462. Criminal acts fall outside "the medical standard of care" by definition, and HB 7, by its terms, protects only abortion-related conduct that complies with extant federal law.*
- G. *HB 7 therefore leaves local jurisdictions such as Edgewood free to enact prohibitions on partial-birth abortion and conduct that violates 18 U.S.C. §§ 1461 and 1462, because none of these criminal acts fall within "the medical standard of care."*
- H. *We call upon the United States Attorneys for the District of New Mexico, both present and future, to investigate and prosecute abortion providers and abortion-pill distribution networks under 18 U.S.C. §§ 1461-62 and the Racketeer Influenced and Corrupt Organizations Act (RICO).*
- I. *We call upon victims of abortion providers and abortion-pill networks to sue these racketeering enterprises under civil RICO.*

SECTION TWO: PURPOSE AND INTENT

The purpose of this ordinance is to ensure compliance with federal abortion laws, including 18 U.S.C. §§ 1461-62, within the Town of Edgewood, New Mexico.

SECTION THREE: DEFINITIONS

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section unless in context it appears that a different meaning is intended:

"Abortion" means the act of using, prescribing, administering, procuring, or selling of any instrument, medicine, drug, or any other substance, device, or means with the purpose to terminate the pregnancy of an individual, with knowledge that the termination by any of those means will with reasonable likelihood cause the death of an unborn child. The term does not include:

- 1. In vitro fertilization or fertility treatments of any type;*
- 2. The use, prescription, administration, procuring, or selling of Plan 8, morning after pills, intrauterine devices, or any other type of*

3. *An act performed with the purpose to:*

- a. *Save the life or preserve the health of the unborn child;*
- b. *Remove a dead unborn child caused by spontaneous abortion; or*
- c. *Remove an ectopic pregnancy, the implantation of a fertilized egg or embryo outside of the uterus.*

"Abortion clinic" means any building or facility, other than a hospital, where an abortion of any type is performed, or where abortion-inducing drugs are dispensed, distributed, or ingested.

"Hospital" means an institution that is:

1. *Primarily engaged in providing, by or under the supervision of physicians, inpatient diagnostic and therapeutic services or rehabilitation services: and*
2. *Duly licensed for this purpose under the laws of New Mexico.*

"Interactive computer service" means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

"Medical emergency" means a life-threatening physical condition aggravated by, caused by, or arising from a pregnancy that, as certified by a physician, places the woman in danger of death or a serious risk of substantial

impairment of a major bodily function unless an abortion is performed.

"Woman" and ***"women"*** include any person whose biological sex is female, including any person with XX chromosomes and any person with a uterus, regardless of any gender identity that the person may attempt to assert or claim.

SECTION FOUR: COMPLIANCE WITH FEDERAL ABORTION LAWS REQUIRED

A. *It shall be unlawful for any person to violate 18 U.S.C. § 1461 by using the mails for the mailing, carriage in the mails, or delivery of:*

1. *Any article or thing designed, adapted, or intended for producing abortion; or*
2. *Any article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for producing abortion;*

B. *It shall be unlawful for any person to violate 18 U.S.C. § 1462 by:*

1. *Using any express company or other common carrier or interactive computer service for carriage in interstate or foreign commerce of any drug, medicine, article, or thing designed, adapted, or intended*

for producing abortion;

2. *Knowingly taking or receiving, from such express company or other common carrier or interactive computer service, any matter or thing described in subsection (B)(1).*
- C. *It shall be unlawful for any person to engage in conduct that aids or abets the violations of 18 U.S.C. § 1461 or 18 U.S.C. § 1462 described in sub-section (A).*
- D. *It shall be unlawful for any person to perform or assist a partial-birth abortion in violation of 18 U.S.C. § 1531.*
- E. *Notwithstanding any other law, the requirements of this section shall be enforced exclusively through the private civil actions described in section 5. No direct or indirect enforcement of this section may be taken or threatened by the Town of Edgewood, New Mexico or any of its employees or agents against any person or entity, by any means whatsoever, and no violation of this section may be used to justify or trigger the enforcement of any other law or any type of adverse consequence under any other law, except as provided in section 5. This section does not preclude or limit the enforcement of any other law or regulation against conduct that is independently prohibited by such other law or regulation, and that would remain prohibited by such other law or regulation in the absence of this section.*

SECTION FIVE: PRIVATE RIGHT OF ACTION

- A. *Any person, other than the state, its political subdivisions, including the Town of Edgewood, New Mexico, and any officer or employee or agent of a state or local governmental entity in this state, has standing to bring and may bring a civil action against any person or entity that:*
 1. *Violates any provision of section 4(A), section 4(B), section 4(C), or section 4(D); or*
 2. *Intends to violate any provision of section 4(A), section 4(B), section 4(C), or section 4(D).*
- B. *If a claimant prevails in an action brought under this section, the court shall award:*
 1. *Injunctive relief sufficient to prevent the defendant from violating section 4;*
 2. *Nominal and compensatory damages if the plaintiff has suffered injury or harm from the defendant's conduct, including but not limited to loss of consortium and emotional distress;*
 3. *Statutory damages in an amount of not less than \$10,000 for each violation of section 4(A), section 4(B), section 4(C), or section 4(D); and*
 4. *Costs and reasonable attorney's fees.*

- C. *Notwithstanding Subsection (B), a court may not award relief under Sub-section (B)(3) or (B)(4) in response to a violation of Subsection (A)(1) if the defendant demonstrates that a court has already ordered the defendant to pay the full amount of statutory damages under Subsection (B)(3) in another action for that particular violation of section 4.*
- D. *Notwithstanding any other law, a person may bring an action under this section not later than the sixth anniversary of the date the cause of action accrues.*
- E. *Notwithstanding any other law, the following are not a defense to an action brought under this section:*
1. *Ignorance or mistake of law;*
 2. *A defendant's belief that the requirements or provisions of this chapter are unconstitutional or were unconstitutional;*
 3. *A defendant's reliance on any court decision that has been vacated, reversed, or overruled on appeal or by a subsequent court, even if that court decision had not been vacated, reversed, or overruled when the cause of action accrued;*
 4. *A defendant's reliance on any state or federal court decision that is not binding on the court in which the action has been brought;*
A defendant's reliance on any federal or state statute, agency rule or action, or treaty that has been repealed, superseded, or declared invalid or unconstitutional, even if that federal or state statute, agency rule or action, or treaty had not been repealed, superseded, or declared invalid or unconstitutional when the cause of action accrued;
 5. *Non-mutual issue preclusion or non-mutual claim preclusion;*
 6. *The consent of the plaintiff or the unborn child's mother to the abortion;*
 7. *Contributory or comparative negligence;*
 8. *Assumption of risk;*
 9. *Any claim that the enforcement of this chapter or the imposition of civil liability against the defendant will violate the constitutional rights of third parties, except as provided by section 6.*
- F. *This section may not be construed to impose liability on any speech or conduct protected by the First Amendment of the United States Constitution, as made applicable to the states through the United States Supreme Court's interpretation of the Fourteenth Amendment of the United States Constitution, or by Article II, section 17 of the New Mexico Constitution.*
- G. *Notwithstanding any other law, neither the Town of Edgewood, New*

Mexico, nor any of its officers, employees, or agents, may:

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- 1. Act in concert or participation with anyone who brings suit under this section;*
- 2. Establish or attempt to establish any type of agency or fiduciary relationship with a person who brings suit under this section;*
- 3. Make any attempt to control or influence a person's decision to bring suit under this section or that person's conduct of the litigation; or*
- 4. Intervene in any action brought under this section.*

This subsection does not prohibit a person or entity described by this subsection from filing an amicus curiae brief in the action, so long as that person or entity does not act in concert or participation with the plaintiff or plaintiffs who sue under this section or violate any provision of Subsection (G)(1)-(4).

- H. Notwithstanding any other law, a court may not award costs or attorneys' fees to a litigant who is sued under this section.*
- I. Notwithstanding any other law, a civil action under this section may not be brought:*

- 1. Against the woman upon whom an abortion was performed or induced or attempted to be performed or induced in violation of this chapter, or against a pregnant woman who intends or seeks to abort her unborn child in violation of this chapter;*
- 2. Against any person or entity that performs, aids or abets, or attempts or intends to perform or aid or abet an abortion at the behest of federal agencies, contractors, or employees that are carrying out duties under federal law, if a prohibition on that abortion would violate the doctrines of preemption or intergovernmental immunity;*
- 3. Against any hospital, or against any employees, agents, or contractors of a hospital, for engaging in conduct necessary to ensure that a licensed physician is prepared to perform an abortion in response to a medical emergency;*
- 4. Against any common carrier that transports a pregnant woman to an abortion provider, if the common carrier is unaware that the woman intends to abort her unborn child; or*
- 5. By any person who impregnated a woman seeking an abortion through an act of rape, sexual assault, or incest, or by anyone who acts in concert or participation with such a person.*

SECTION SIX: AFFIRMATIVE DEFENSES

- A. A defendant against whom an action is brought under section 5 may assert an affirmative defense to liability under this section if:*

- 1. The imposition of civil liability on the defendant will violate rights,* Page 50 of 54

privileges, or immunities secured by the Constitution or laws of the United States or by the Constitution or laws of the State of New Mexico, that belong to the defendant personally; or

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2. *The defendant:*
 - a. *Has standing to assert the rights, privileges, or immunities of a third party under the tests for third-party standing established by the Supreme Court of the United States or the Supreme Court of New Mexico; and*
 - b. *Demonstrates that the imposition of civil liability on the defendant will violate rights, privileges, or immunities secured by the Constitution or laws of the United States, or by the Constitution or laws of the State of New Mexico, that belong to that third party.*
- B. *The defendant shall bear the burden of proving the affirmative defense in Subsection (A) by a preponderance of the evidence.*
- C. *Notwithstanding Subsection (A) or any other law, this section shall not provide an affirmative defense to liability for conduct that violates the federal criminal laws of the United States, including 18 U.S.C. §§ 1461-1462, and no purported state-law right, privilege, or immunity to act in violation of 18 U.S.C. §§ 1461-1462 or any other federal criminal law may provide a defense to liability under this section.*
- D. *Notwithstanding any other law, nothing in this section or chapter shall limit or preclude a defendant from asserting the unconstitutionality of any provision or application of this ordinance as a defense to liability under section 5, or from asserting any other defense that might be available under any other source of law.*

SECTION SEVEN: SEVERABILITY

- A. *Mindful of Leavitt v. Jane L., 518 U.S. 137 (1996), in which in the context of determining the severability of a state statute regulating abortion the Supreme Court of the United States held that an explicit statement of legislative intent is controlling; it is the intent of the Town Commission that every provision, section, subsection, sentence, clause, phrase, or word in this chapter, and every application of the provisions in this chapter to every person, group of persons, or circumstances, are severable from each other.*
- B. *If any application of any provision in this chapter to any person, group of persons, or circumstances is found by any court to be invalid, pre-empted, or unconstitutional, for any reason whatsoever, then the remaining applications of that provision to all other persons and circumstances shall be severed and preserved, and shall remain in effect. All constitutionally valid applications of the provisions in this chapter shall be severed from any applications that a court finds to be invalid,*

preempted, or unconstitutional, because it is the Town Commission's intent and priority that every single valid application of every **AGENDA ITEM #XII.K.**
in this chapter be allowed to stand alone.

- C. *The Town Commission further declares that it would have enacted this chapter, and each provision, section, subsection, sentence, clause, phrase, or word, and all constitutional applications of the provisions of this chapter, irrespective of the fact that any provision, section, subsection, sentence, clause, phrase, or word, or applications of this chapter were to be declared invalid, preempted, or unconstitutional.*
- D. *If any provision of this chapter is found by any court to be unconstitutionally vague, then the applications of that provision that do not present constitutional vagueness problems shall be severed and remain in force, consistent with the severability requirements of subsections (A), (B), and (C).*
- E. *No court may decline to enforce the severability requirements of Subsections (A), (B), (C), and (D) on the ground that severance would "rewrite" the ordinance or involve the court in legislative or lawmaking activity. A court that declines to enforce or enjoins a state or local official from enforcing a statute or ordinance is never rewriting the underlying law or engaging in legislative or lawmaking activity, as the statute or ordinance continues to contain the same words as before the court's decision. A judicial injunction or declaration of unconstitutionality:*
- 1. Is nothing more than an edict prohibiting enforcement that may subsequently be vacated by a later court if that court has a different understanding of the requirements of the New Mexico Constitution or United States Constitution;*
 - 2. Is not a formal amendment of the language in a statute or ordinance; and*
 - 3. No more rewrites a statute or ordinance than a decision by the executive not to enforce a duly enacted statute in a limited and defined set of circumstances.*
- F. *If any court, including any state or federal court, disregards any of the severability requirements in Subsections (A), (B), (C), (D), or (E), and declares or finds any provision of this chapter facially invalid, preempted, or unconstitutional, when there are discrete applications of that provision can be enforced against a person, group of persons, or circumstances without violating federal or state law or the federal or state constitutions, then that provision shall be interpreted, as a matter of local law, as if the municipality had enacted a provision limited to the persons, group of persons, or circumstances for which the provision's application will not violate federal or state law or the federal or state constitutions, and every court shall adopt this saving construction of that*

BALLOT:

Pursuant to 3 – 14 – 17 B the ballot shall contain the text of Ordinance
2023 – 02 below which shall be the phrases:

“For the above measure”, and

“Against the above measure”,

Followed by spaces for marking the ballot with a cross or check or other
mark necessary for proper accounting of the ballot.

The ballot shall be printed in both English and Spanish.

SECTION NINE: EFFECTIVE DATE

Pursuant to 3-14-17B. NMSA 1978, if a majority of the votes cast favor the
measure, it shall take effect immediately. If a majority of the votes cast are
against the measure, it shall not take effect.

The Town Clerk is hereby directed to file this resolution with the county clerk
of each county containing any precinct in which votes may be cast for or
against the aforesaid ballot question.

PASSED, APPROVED and ADOPTED this 11th day of July 2023.

ATTEST:

Audrey J. Jaramillo, Mayor, CMO

Nina R. McCracken, Clerk

