



RESOLUTION 09-18

A RESOLUTION OF THE TOWN OF TAOS, WAIVER OF EMPLOYEE OR IMMEDIATE FAMILY MEMBER CONTRACTING WITH THE TOWN OF TAOS

WHEREAS, NMSA 1978, Section 13-1-190, makes it unlawful for a public employee to participate directly or indirectly in a procurement when the employee knows that the employee or any member of his/her immediate family has a financial interest in seeking or obtaining a contract; and

WHEREAS, NMSA 1978, Section 13-1-193, makes it unlawful for a public employee who participates directly or indirectly in the procurement process to become or to be the employee of any person or business contracting with the government body by whom he/she is employed; and

WHEREAS, pursuant to NMSA 1978, Section 13-1-194, the Town may waive restrictions set forth in the above Sections by publicly disclosing the contemporaneous employment and/or financial interest of an employee or their immediate family member when the procurement can be conducted and the contract can be performed without actual or apparent bias or favoritism, and participation by the employee or immediate family member is in the best interest of the Town; and

WHEREAS, the Town is proposing to contract with Daniel Cordova dba Mountain Moving and Storage, related to Mayor Darren M. Cordova, an employee of the Town.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Taos:

The Town hereby waives Section 13-1-190 and 13-1-193 as they relate to Daniel Cordova dba Mountain Moving and Storage by allowing him to contract with the Town of Taos as long as the Town complies with the Procurement Code in all applicable areas and the Town gives no apparent or actual bias or favoritism.

The Town hereby finds that Mayor Darren M. Cordova shall excuse himself from making any decision on or related to any contract or other agreement with the Town of Taos concerning Daniel Cordova dba Mountain Moving and Storage and thereby assures that there is no conflict.

BE IT FURTHER RESOLVED that the Town Council through adoption of this Resolution is publicly disclosing the contemporaneous employment and/or financial interest and relationship of an employee or his immediate family member in contracting with the Town of Taos;

It is in the best interest of the Town of Taos to contract with Daniel Cordova dba Mountain Moving and Storage to perform certain moving services for the Town of Taos.

PASSED, RESOLVED and APPROVED this 10th day of March, 2009 at the Regular Meeting of the Town of Taos Council.

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

TOWN OF TAOS

Darren M. Cordova, Mayor

ATTEST:

APPROVED AS TO FORM:

Renee Lucero, Town Clerk

Allen Ferguson, Jr., Town Attorney