



ORDINANCE 22-16

AN ORDINANCE AMENDING SECTION 16.12.020 OF THE TOWN OF TAOS CODE REGARDING THE APPOINTMENTS TO THE PLANNING AND ZONING AND HISTORIC PRESERVATION COMMISSIONS

WHEREAS, the Town of Taos, recognizes the authority delegated by the Town of Taos Council to the Planning and Zoning Commission and the Historic Preservation Commission; and

WHEREAS, diversity in viewpoints on the Planning and Zoning Commission and the Historic Preservation Commission is valued and appreciated; and

WHEREAS, the balance of power between the Office of the Mayor and the Town of Taos Council is better shared through Town Council appointments on the Planning and Zoning Commission and the Historic Preservation Commission.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Taos, meeting in Regular Session on the 25th day of October 2022, and after having held a public hearing on the matter, the following ordinance is hereby adopted, approved, and ratified:

SECTION 1. Section 16.12.020.1: COMMISSION, APPOINTMENT, TERM, PROCEEDINGS shall be amended to read:

A. The planning and zoning commission (the "commission") shall consist of seven (7) members. Each member of the Town of Taos Council shall appoint one (1) member of the commission and the Mayor shall appoint three (3) members of the commission with formal consent of the Governing Body.

B. Members of the commission shall be appointed for staggered terms of two (2) years each. Members may be reappointed for no more than three (3) consecutive additional terms of two (2) years each.

C. Should any vacancy occur among the members of the commission as a result of resignation or removal, immediate notice thereof shall be given by the commission or code administrator to the Town manager. A vacancy shall be filled by appointment with the consent of the Governing Body for the remainder of the unexpired term by the **elected official** the position whose

appointment has been vacated.

D. After a public hearing of the Town Council, members of the commission may be removed for cause, stated in writing and made part of the public record, by the Mayor with the consent of the Town Council or by a majority vote of the Town Council.

E. Members who have failed to attend three (3) regular meetings in one year, without a valid excuse as determined by the commission, shall be deemed to have tendered their resignations which the Town Council may accept or reject.

F. Members of the commission shall elect their own Chairperson and Vice Chairperson, annually, at the first regular commission meeting in each year.

G. The commission shall adopt rules for the transaction of business.

H. Regular meetings of the commission shall be held at least once a month, at regularly scheduled times. Special meetings shall be held at the call of the Chairperson upon such prior notice as is required in the rules of the commission. All meetings shall be held and conducted according to the open meetings act of the state of New Mexico.

I. A majority of all of the members of the commission shall constitute a quorum at any meeting. There shall be no proxy voting.

J. The commission shall keep minutes of its proceedings, showing the vote on each question. The commission shall keep a public record of all of its transactions, findings, resolutions and determinations which shall be filed in the office of the code administrator.

SECTION 2. Section 16.12.020.3: HISTORIC PRESERVATION COMMISSION, APPOINTMENT, TERMS, AND PROCEEDINGS shall be amended to read:

A. The historic preservation commission shall consist of five (5) members. Each member of the Town of Taos Council shall appoint one (1) member of the historic preservation commission and the Mayor shall appoint one (1) member of the historic preservation commission with formal consent of the Governing Body. Each of the members so appointed shall own property within a historic overlay zone, operate a business within a historic overlay zone, represent a community organization providing services to the historic overlay zone, or have some other significant interest in a historic overlay zone.

B. Members of the historic preservation commission shall be appointed for staggered terms of two (2) years each. Members may be reappointed for no more than three (3) consecutive additional terms of two (2) years each.

C. Should any vacancy occur among the members of the historic preservation commission immediate notice thereof shall be given by the historic preservation commission or code administrator to the Town manager. A vacancy shall be filled by appointment with the consent of

the Governing Body for the remainder of the unexpired term by the **elected official** whose appointment has been vacated.

D. After a public hearing, members of the historic preservation commission may be removed for cause, stated in writing and made part of the public record, by the Mayor with the consent of the Town Council or by a majority vote of the Town Council.

E. Members who have failed to attend three (3) regular meetings in one year, without a valid excuse as determined by the historic preservation commission, shall be deemed to have tendered their resignations which the Town Council may accept or reject.

F. Members of the historic preservation commission shall elect their own chairperson and vice chairperson, annually, at the first regular historic preservation commission meeting in each year.

G. The historic preservation commission shall adopt rules for the transaction of business.

H. A regular meeting of the historic preservation commission should be held at regularly scheduled times. Special meetings shall be held at the call of the chairperson upon such prior notice as is required in the rules of the historic preservation commission. All meetings shall be held and conducted according to the open meetings act of the state of New Mexico.

I. A majority of all of the members of the historic preservation commission shall constitute a quorum at any meeting. There shall be no proxy voting.

J. The historic preservation commission shall keep minutes of its proceedings, showing the vote on each question. The historic preservation commission shall keep a public record of all of its transactions, findings, resolutions and determinations which shall be filed in the office of the code administrator.

ORDAINED, ADOPTED, AND APPROVED this 25th day of October 2022, by the following vote:

Mayor Pro Tem Darien Fernandez	<u>absent</u>
Councilmember Nathaniel Evans	<u>yes</u>
Councilmember Corilia Ortega	<u>yes</u>
Councilmember Marietta Fambro	<u>yes</u>

REAFFIRMED AND RATIFIED this 24th day of January 2023, by the following vote:

Mayor Pro Tem Darien Fernandez	<u>yes</u>
Councilmember Nathaniel Evans	<u>yes</u>
Councilmember Corilia Ortega	<u>yes</u>
Councilmember Marietta Fambro	<u>yes</u>

TOWN OF TAOS

Pascualito M. Maestas, Mayor

ATTEST:

APPROVED AS TO FORM:

Francella Garcia, Town Clerk

Christopher Stachura, Town Attorney