



VILLAGE COUNCIL REGULAR MEETING AGENDA
EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, AUGUST 13, 2019 2:00 P.M.

1. CALL TO ORDER AND NOTICE OF MEETING
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. APPROVAL OF THE MINUTES OF THE JULY 16, 2019 VILLAGE COUNCIL REGULAR MEETING
5. PRESENTATION BY DAVID MONTEITH, NEW MEXICO TAX AND REVENUE DEPARTMENT
6. CITIZEN'S FORUM –for non-agenda items only. Limit to 5 minutes per person (please sign in)
7. FINANCIAL REPORTS
8. COMMITTEE REPORTS
 - A. Planning & Zoning Commission
 - B. Public Safety Committee
 - C. Firewise Community Board
 - D. Parks & Recreation Committee
 - E. Lodger's Tax Advisory Board
9. REGIONAL REPORTS
10. MAYOR'S REPORT
11. STAFF REPORTS
12. OLD BUSINESS
13. NEW BUSINESS
 - A. Consideration to Approve **Resolution No. 2020-404**, the Village of Taos Ski Valley 2021-2025 Infrastructure & Capital Improvements Plan (ICIP)
 - B. Discussion of Records Retention Schedule and Draft Documents
 - C. Action to Remand the Thunderbird Road Improvements Project to the Planning & Zoning Commission for Review and Recommendation
 - D. Consideration to Approve the Renewal of Task Contracts and Addition of New Task Contracts with Alan Plummer Associates, Inc. (formerly FEI)
 - E. Consideration of TIDD Board Request to Village Council, and to Designate and Agent of the Village to be Permitted to Inspect Certain NM Tax & Revenue Department Reports under the Terms of the NM Tax & Revenue Department Confidentiality Agreement, for the Purpose of Working with Approved Village Staff and the NM Tax & Revenue Department to Reconcile Gross Receipts Tax Allocations to the Village and to the TIDD
 - F. Direction to Village Staff to Continue Investigation and Development of Village Water Rights (item to follow closed session)
 - G. Direction to the Administration to Respond to Continued Threats of Litigation (item to follow closed session)

-- Providing infrastructure & services to a World Class Ski Resort Community --

14. MISCELLANEOUS

15. CLOSED SESSION

A. Discussion of Possible Litigation

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (7)

B. Discussion of the Acquisition of Real Property

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (8)

C. B. Discussion of Limited Personnel Matters

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (2)

16. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

17. ADJOURNMENT

-- Providing infrastructure & services to a World Class Ski Resort Community --



Village of Taos Ski Valley
 PG Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525
 (575) 776-8220 (575) 776-1145 Fax
 E-mail: vtsv@vtsv.org Website: www.vtsv.org
Mayor: Christof Brownell
Council: Jeff Kern, Roger C. Pattison,
 J. Christopher Stagg, Thomas Wittman
Administrator: John Avila
Clerk: Ann M. Wooldridge, CMC
Finance Director: Nancy Grabowski

NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN of the following meetings of the Village of Taos Ski Valley, New Mexico and the dates, times and locations of the meetings:

MEETING	DATE & TIME	LOCATION
PARKS & RECREATION COMMITTEE	Wednesday July 17, 2019 4:30 p.m.	Chamber of Commerce Visitor Center
SOURCE WATER PROTECTION PLAN COMMITTEE MEETING	Thursday August 1, 2019 10:00 a.m.	Edelweiss Lodge Club Room
PUBLIC SAFETY COMMITTEE	Monday August 5, 2019 10:00 a.m.	Inn at Taos Valley Club Room
FIREWISE COMMUNITY BOARD	Monday August 5, 2019 11:00 a.m.	Inn at Taos Valley Club Room
PLANNING & ZONING COMMISSION	CANCELLED	Edelweiss Lodge Club Room
FIREWISE BOARD COMMUNITY OPEN HOUSE	Saturday August 10, 2019 2:00 p.m.	Edelweiss Lodge Club Room
VILLAGE COUNCIL REGULAR MEETING	Tuesday August 13, 2019 2:00 p.m.	Edelweiss Lodge Club Room
TIDD BOARD REGULAR MEETING	Wednesday, October 9, 2019 9:00 a.m.	Edelweiss Lodge Club Room
LODGER'S TAX COMMITTEE	TBA	Snakedance Condominiums

These meetings will be public meetings to consider various items of business. A copy of the agenda for each meeting will be available for inspection 72 hours prior to the meeting. Persons wishing to comment on items listed on the proposed agendas may submit written comments to the Village offices on or before 5:00 p.m. on the day prior to the meeting. Persons with disabilities may request accommodations no later than 5:00 P.M. on the day prior to the meeting. This notice shall be posted at the Village Office, Box Canyon, Village Message Board in the TSV Chamber of Commerce and three other public places within the municipality as provided by Section 3-1-2 NMSA 1978. /s/ Ann M. Wooldridge, Village Clerk, posted July 16, 2019, updated July 30, 2019.



Village of Taos Ski Valley
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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JULY 16, 2019, 2:00 P.M.**

1. CALL TO ORDER & NOTICE OF MEETING

The regular meeting of the Village of Taos Ski Valley Council was called to order by Mayor Brownell at 2:00 p.m.
The notice of the meeting was properly posted.

2. ROLL CALL

Ann Wooldridge, Village Clerk, called the role and a quorum was present.

Governing body present:

Mayor Christof Brownell
Councilor Jeff Kern
Councilor Roger Pattison
Councilor Chris Stagg
Councilor Tom Wittman, Mayor Pro Tem

Staff present:

Village Administrator John Avila
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Police Chief Sam Trujillo
Community Development Director Patrick Nicholson
Building Official Jalmar Bowden
Project Manager Rich Willson
Public Works Director Anthony Martinez
Administrative Assistant Renee Romero
Administrative Assistant Christina Wilder
Village Attorney Susan Baker

3. APPROVAL OF THE AGENDA

Councilor Wittman asked to add Quigley Peterson under Miscellaneous.

MOTION: To approve the agenda as amended

Motion: Councilor Wittman Second: Councilor Stagg Passed: 4-0

4. APPROVAL OF THE MINUTES OF THE MAY 29, 2019 VILLAGE COUNCIL SPECIAL MEETING and the JUNE 11, 2019 VILLAGE COUNCIL REGULAR MEETING

MOTION: To approve both minutes as presented

Motion: Councilor Wittman Second: Councilor Kern Passed: 4-0

5. CITIZENS' FORUM – Limit to 5 minutes per person (please sign in)

A. Homeowner Neal King asked whether the Village could pick up slash near properties if the property owner put the slash in the road instead of leaving it on their property. Or, he suggested, could the Village add on to the trash fee which could pay to have Village staff pick up slash at private properties.

B. TSVI CEO David Norden said that he would like to propose a relationship between the Village of Taos Ski Valley and TSV Inc. He said that at the Community Meeting that took place on June 29th, he had been asked about

natural gas distribution in the Village. Mr. Norden said that he had told the property owners that the natural gas distribution and progress towards completion of Thunderbird Road were being held back by the Village. Mr. Norden said that at the recent P&Z meeting, a Council member had said that the relationship had “gone south”. Mr. Norden said that communication is not good. He said that notices are being sent by registered mail, instead of by phone or email. Legal expenses for both parties are going sky-high, he said. When both parties are aligned, great things could happen. Otherwise, everyone struggles and suffers. Mr. Norden suggested that everyone make an assessment of the situation and think about whether all of this felt right.

C. TIDD Board Chair Neal King invited the public to attend the July 17, 2019 VTSV TIDD Board meeting, taking place at the Edelweiss Lodge Club Room at 2:00 p.m. He said that the discussion may address some of the ongoing TIDD projects, including Thunderbird Road and others.

D. Homeowner Francie Parker addressed the Council saying that during recent Council and P&Z Meetings, she had publically expressed the concerns of many Village homeowners and herself about a TSV Inc. proposal to construct an employee dormitory at the corner of Twining Road and O.E. Pattison Loop. She said that she had received a nice letter from Peter Talty stating that TSV Inc. had not submitted an application for staff housing on O.E. Pattison Loop. Given the concerns voiced by the immediate community, TSV Inc. did not intend to advance an application. Ms. Parker thanked TSV Inc. and Mr. Talty in particular, for listening to the concerns expressed by the surrounding homeowners about the proposed dormitory project and for being committed to seeking community consensus during this period of growth and change within the Village.

Ms. Parker went on to say that change can be difficult at times, but that it could also be incredibly exciting and beneficial. She said that she thought there had been some wonderful recent additions within the Village and that she looked forward to the future as neighbors as the Village grows in a shared and sustainable fashion. She also thanked the Mayor, Village Councilors, and P&Z Commissioners for listening to their constituents’ concerns in this matter. Ms. Parker said that the Village homeowners rely heavily on the elected and appointed officials’ commitment to responsibly regulate change within the Village while simultaneously retaining the vibrancy and character of the community as it grows. She also noted that reliance upon the elected Village representatives was amplified because many homeowners are only present within the Village for a small fraction of the year. She also thanked the Village Staff, whom she said the homeowners turn to for information when there is a problem, issue, or even a simple misunderstanding. Ms. Parker said that she understood that Village Staff was constantly dealing with a lot of short- and long-term issues within the Village and that she appreciated the time dedicated to answering questions, listening to concerns, and sending out requested information.

Ms. Parker said that in conversations with her neighbors, she noted that they have been watching recent developments and changes within the Village more closely and were concerned about getting information. She also noted that she was not alone in feeling that this is truly an amazing place and that many people feel more spiritually connected to the ski valley than they do their own hometowns. Ms. Parker said that apparently, whether people have been a part of this community for several generations or have just recently discovered Taos Ski Valley, it completely captures people’s hearts. She asked that everyone look to the future together and strive to make this an even stronger community.

E. Courtney Tucker, Village of Taos Ski Valley Chamber of Commerce Director, expressed her thanks to all of the participating entities for their cooperation on the July 4th event and for the upcoming Up & Over event. She noted that the Chamber, TSVI, and the Village were all joining together to make these special events a success. Mayor Brownell thanked the Fire and EMS volunteers for their cooperation in providing emergency services.

F. Dr. Quigley Peterson said that the Village of Taos Ski Valley volunteer EMS service started in 2001, but now volunteers have moved away or are getting elderly. He would like to make the program more robust, and have paid staff for at least a designated 26 days each year. He said that he estimates that an administrative position would require about 20 hours a week, to work on grants and complete administrative work. He has drafted a preliminary job description, which he provided.

G. Ski Patroller and EMS Instructor Carl Gilmore said that the EMS staffing situation needed to be figured out, in large part because the Village is in such a remote location.

H. Homeowner Kathy Bennett asked the Village Staff to make an effort to find funds for EMS staffing.

I. Parks & Recreation Committee Chair Katherine Kett pointed out that as the Village grows more infrastructure is needed to support services such as EMS, the Fire Department, and also Parks and Recreation.

6. FINANCIAL REPORTS

Finance Director Nancy Grabowski reported that GRT remitted to the Village in June was \$86,838 compared to \$35,925 for June last year. Year-to-date GRT total is \$2,206,062 versus \$1,558,719 for last year, a 42% increase of

previous year's collections. The TIDD received GRT of \$117,181 in June for April collections. Hold Harmless GRT for the month was \$15,719.

Lodger's tax collections in June were \$5,097 versus \$3,332 for last year. Year-to-date total is \$524,378 for this year, compared to \$349,519 for last year. Total Lodger's tax collections finished the fiscal year at a 50% increase over the previous year.

Water and sewer revenues are up 10% from the previous year.

Two new Public Works laborer/equipment operators have been hired, and the new accountant's contract signed.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported that the Commission met on July 1, 2019 at the Edelweiss Lodge Club Room. Agenda items included:

- Review and discussion of the ICIP for 2021-2025. Much discussion took place and finally the Commission voted 5-2 to recommend approval by Council. The two votes against were not because of the ICIP itself, but because some Commissioners wanted to discuss the ICIP further at the August P&Z meeting.
- The Shopoff preliminary plat will be brought to the P&Z Commission in early fall.
- Village Planning Staff met with the new owner of the 1,200-acre parcel sold by the Pattison Trust.

The next meeting is scheduled for August 5, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room.

B. Public Safety Committee –Committee Chair Pattison reported that the Committee met on July 1, 2019. Discussion took place on housing for emergency vehicles. Chair Pattison thanked Committee member Sheila Duffy for staffing the July 4th booth by herself with other community members. He announced a Public Safety/Firewise Board Community Forum meeting to take place on Saturday, August 10, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room. The proposed Firewise Ordinance draft will be reviewed, and light refreshments will be served. The community is welcome and encouraged to attend. He said that revised and updated ordinance language would be submitted to Village Staff to be posted on the Village web site and distributed by email. Chair Pattison said that the most important item is to address dead fuel. He commended TSV Inc. for conducting this type of thinning making a huge effort.

The next meeting will take place on August 5, 2019 at 10:00 a.m. at the Inn at Taos Valley.

C. Firewise Community Board of Directors – Committee Chair Pattison reported that the Committee met on July 1, 2019.

Meeting discussions included the need for slash management, including investigating a method to pay for services. The Board is looking into the possibility of the ordinance calls for hiring a consultant to engage with property owners at their properties. He said that a written and signed agreement was needed for each property. The other main objective of the ordinance is to have signed agreements from every property owner on file, committing to an agreed-upon treatment plan within a timeframe they have agreed to. The Board wants to Village would get started with these assessments. The Board would like to work in a community spirit with property owners, and not in an adversarial way.

Chairman Pattison said that some funds would be needed, but not that much. He said that property owners needed to be incentivized to conduct thinning. A list of contractors that conduct tree thinning is posted on the Village web site. The Board is proposing to add a small fee to the solid waste fees to cover this expense. Farmers Insurance presented at the Firewise Board meeting. Some homes in wooded areas are having trouble obtaining homeowners insurance. The next meeting will take place on August 5, 2019 at 11:00 a.m. at the Inn at Taos Valley.

D. Parks & Recreation Committee – Committee Chair Katherine Kett reported on recent Parks & Recreation Committee activities:

- The disc golf course has been installed going up the Rubenzahl Trail and coming down Snakedance. The design will suffice for at least several years, and the Committee worked with TSVI's John Kelly for a design that would work well. Some disc golf sets are available at the Chamber Visitor Center, along with maps of the course.
- The hanging flower baskets are installed and looking beautiful, she said. Watering shifts have been scheduled.
- Council approval of allowing Kachina Road to become Kachina Vista Park is up for renewal, as the first approval was for a period of two years, in 2017. The Parks & Recreation Committee is hoping that the park will be able to stay in place for several years to come. The signage has been updated and other upkeep

conducted after the snowy winter. Committee Chair Kett thanked Kelly Grosstette for her work in painting the gates, and thanked Mayor Brownell for building wooden benches with wood donated by the Pattison Trust. She encouraged the community to go explore the Kachina Vista Park.

- The Committee is working with TSVI's Mike Bower to install a volleyball court.
- They are working in conjunction with the Field Institute of Taos to update and install new JR Trail flora and fauna signs. The campers are frequently on the trail, and part of the camp's activity includes having the campers draw and write up signs.
- Committee Chair Kett thanked the Lodgers Tax Board for the additional funds granted this year for updating the hanging flower baskets.

The next meeting is scheduled for July 17, 2019 at 4:30 p.m. at the Edelweiss Lodge.

Some questions were posed concerning possible improvements to Hiker Parking, and also about a possible intra-Village shuttle.

E. Lodger's Tax Advisory Board - Councilor Stagg reported that the Board met on June 12, 2019 at 11:00 a.m. at the Snakedance to review lodger's tax collections and outstanding grant distributions. He said that the summer Taos Air grant had not been distributed because of the cancellation of Taos Air summer service. These funds will be set aside until next summer. No grant is required for Taos Air winter service.

It is uncertain whether the summer RTD Blue Bus service will be operational due to a lack of drivers, but if drivers are found, there still may be service from mid-August to mid-September.

The next Lodger's Tax Board meeting has not yet been scheduled.

8. REGIONAL REPORTS

Planning Director Nicholson reported that the Northern Regional Transportation Planning Organization (NRTPO) met on July 9, 2019 at the Taos Tent on Thunderbird Road. He thanked the Village Chamber of Commerce for purchasing coffee and a light breakfast for the attendees.

Director Nicholson said that indications from the NM Department of Transportation are positive for a funding grant for Twining Road improvement engineering. The NMDOT will meet on August 15, 2019 to prioritize the road improvement list State-wide. The next Source Water Protection Plan meeting is scheduled for August 1, 2019 at 10:00 a.m.

9. MAYOR'S REPORT

Administrator Avila reported on the Enchanted Circle of Governments, the Inter-Governmental Council and the Landfill Board meetings, as Mayor Brownell had been unable to attend. The Town of Taos remains concerned about the cost of operating the Recycle Center. A joint meeting will be planned to get all entities involved with reviewing different ideas for recycling, with associated costs, opportunities, and drawbacks. At the IGC meeting, the Enchanted Circle Trails Association made a presentation; there was discussion of solar charging station agreements, shared Planning & Zoning training opportunities, and a presentation by the Northeast Council of Governments.

A. Selection of a Voting Delegate and Alternate for the NMML Annual Meeting to be held on Thursday, August 29, 2019 in Las Cruces, NM

Mayor Brownell volunteered to be the voting delegate, and Councilor Wittman agreed to be the alternate voting member, if needed.

Mayor Brownell said that recycling solutions need to be sought, both in the Village and County-wide. TSVI has a good recycling program that's doing well, but the Village's program is broken, he said. There is consideration to charge Taos County residents for use of the Town of Taos' Recycle Center. The Town of Taos is concerned about additional waste going to the landfill if the Recycle Center closes.

Mayor Brownell attended a conference call meeting with NM Workforce Solutions. The Director will remain in his position for another term, and a \$5.5 million allocation has been made towards training, development, and other workforce resources.

Councilor Stagg announced that TSVI would be hiring 400-450 people for the winter season. They are very interested in hiring locals when they meet the qualifications.

Mayor Brownell said that he had had a positive meeting with TSVI CEO David Norden.

There are 10 new electric bikes for rent at the TSVI rental shop.

10. STAFF REPORTS

Administrator Avila reported on ongoing projects:

- **WWTP** – The Waste Water Treatment Plant expansion project is underway with the Engineer Project Manager on-site. The contractor's Supervisor is working with Village Staff in preparation for construction. Final building design drawings have been reviewed by the Village's engineers and returned to the manufacturer. The Project Manager is coordinating with NM Gas for installation of lines as well as fiber optic and telephone lines. In coordination with Ovivo, the delivery of the temporary plant will occur around July 24, 2019. Operations manuals will be delivered this week to start training and setting up maintenance practices for Staff during the next month. Plant expansion is on schedule to be completed before December. Project management for the plant requires a minimum of month-end progress meetings with the USDA to coincide with the Village's pay application process.
- **Kachina Water Tank** – RMCi is making progress preparing the tank site earth work. They have been challenged by the limited construction site area but have a plan for material removal and replacement. Unauthorized persons are reminded to not interfere with the construction process. One project complication is keeping the concrete pours free of excess water during the monsoon season. The requirements for project funding through the Water Trust Board are that the project be completed, invoiced and closed by November 30, 2019 to meet obligations of the amended funding agreement. The anticipated total current cost of \$2,835,923 leaves a funding gap of \$867,923 over the planned budget of \$1,968,000. System Development Fees are not expected to cover the Village share of the total cost of the project; another request to the Water Trust Board may be considered in the coming weeks. Dump trucks have been going fast up and down Twining Road, especially down, it was reported, and the Police will do their best to mitigate this.
- **Village Hall Complex** – The Village Complex office space is being prepared for use by the Village Police Department with relatively inexpensive construction costs. The facility will be an improvement to trailer housing and will provide a Village presence along the NM 150 corridor, as well as provide additional safety at the Complex. As a municipal building, CID permitting is needed. The Village Complex has been put to use this fiscal year and has offset some housing costs by serving as the Temporary Housing of Emergency Medical Technicians (EMT) and other Village professionals. It is anticipated to continue to serve this purpose in the near future but the permanent status of the housing changes needs to meet CID permitting.
- The Village's Sewer Use Ordinance No. 15-37 and Water Use Ordinance No. 15-38 require full review. Permitting in the past was not in compliance with these ordinances. Staff has begun to correct this deficiency and has had to overcome expectations of contractors with past practices. Staff has performed well under pressure, completing requirements and taking ownership to investigate improvements to ordinance language. A continued effort is ongoing to guide contractors to a successful application process.
- A review of the solid waste cost structure is anticipated to assist with the demands for handling green waste, including slash, as well as to provide efficient recycling. The economic and environmental recycling issues have been a growing concern for entities in the region and they are predicted to impact Village services and the cost of operations.
- Work is ongoing, by the community and the Public Safety Committee and Public Safety Departments, to address staffing issues with the EMS and Fire Departments. TSVI Development Director Peter Johnson expressed his thanks to Village Staff for forwarding their concerns to the Kachina Tank contractor. He asked what sort of guarantee there was that the Treatment Plant would be completed by ski season. Public Works Director Martinez said that he is working hard to oversee the construction process. Even though there have been some delays, the construction of the metal building should not take very long. The new treatment processing equipment is already on-site. Councilor Wittman said that the Village Engineers had explained that the temporary plant could function for the ski season, at a higher capacity than the previous treatment plant.
- **Department Briefs**
- Chief Trujillo reported on recent activity: Arrests (2), Residential Alarms (3), Business Alarms (1), Vehicle Alarm (1), Suspicious Persons/Vehicles (3), Citizen Assists (90), Embezzlement (0), Traffic Enforcement Hours (55), Traffic Stops (13), Traffic Hazard (4), Theft (1), Vehicle Theft (0), Larceny (0), Property Damage (0), Verbal Warnings (20), Written Warnings (5), Parking Citations (6), Written Citations (0), Assists to other Agencies (9), Foot Patrol Hours (32), Welfare Check (1), Animal calls (1), MVCs (1), B&E (1), Trespass Warnings (1), Found/Lost Property (1), Disorderly (0), Reckless Driver (2), Private Property Crash (1), 911 Hang Up (0), Trespassing (0), Battery or Assault (0), Domestic Calls (0), Civil Stand-by (1), Fire Calls (3), EMS Calls (1), SAR Calls (1).
- Planning Director Nicholson reported that the NRTPO meeting had been successful. The Village's Twining Road project has come in within the top ten of regional road and bridge improvement projects. The Shopoff Group's preliminary plat should go to P&Z in the early fall. The Design Review Team will meet on Thursday to go over the Parcel D building permit set. The GIS contractor has begun mapping trails and possible trail development areas within the Village,

primarily in the Kachina area. The ICIP will be revised according to the P&Z's comments and will be brought to the Council for approval in August. An RFP for a contractor to review the Development Impact Fee schedule will be released soon. The fees need to be in line with the true cost to develop new public infrastructure to service new development. Any changes in the fees will need to be incorporated into Village ordinances and must comply with the NM Development Impact Fee Act.

- Building Official Bowden reported that he had conducted 23 inspections during the last month, 9 of which were for the Parcel D foundations. Permits issued since the last Council meeting include those for the Kachina cell tower, the Edelweiss façade upgrade, the Austing Haus remediation of below-grade wooden piers, a Kandahar deck, and the Lake Fork pedestrian bridge. Review is being completed for the Blake Residences (Parcel D) for imminent issuance of the remaining portion of the building permit. The Village's Public Works Director has proposed a process for garage drainage and will be presenting it to Studio Southwest Architects for their participation later this week. Building Official Bowden met with Kit Carson Engineer Rick Leon to gain a better understanding of residential participation in placing the private electrical services underground.
- Public Works Director Martinez reported that Staff had fixed a water leak on Phoenix Switchback, and had removed an old fire hydrant on Upper Twining Road. A new hydrant will be installed midway between the existing hydrants. Sampling is underway for the Gunsite Spring, including monitoring for basic potability and flow. The Treatment Plant facility grounds are being prepped for the upcoming construction. Many man hours have been devoted to moving and organizing items throughout the plant grounds. A new lab location has been set up. Staff is working to insure that construction starts on time to prevent cost over-runs. Director Martinez is working on the necessary paperwork to begin hauling the sludge to the Taos Regional Landfill instead of hauling it to Rio Rancho. Staff is working on re-establishing the Twining Road grade. A demo grader is being secured. Annual jet-rodding of the main sewer lines is being conducted. Homeowner Francie Parker asked that dust control occur in June every year, before the monsoons start and when it is the dustiest, she said.
- Project Manager Rich Willson reported on activity at the Village Complex in Amizette. He said that the front wall, made of large blocks, had moved slightly in sections, because the grading of the dirt behind the wall hadn't been completed adequately before the snow came last fall. With the spring thaw, the dirt became wet and soft, and gravel trucks driving into the property exerted pressure on the wall blocks. Kit Carson Electric caused a 6-week delay. In addition, Kit Carson told Project Manager Willson that the wall had been installed on top of a Kit Carson vault. There are several options for re-doing the wall, the most reasonable of which may involve using a geogrid synthetic fabric in with the block to stabilize the wall, said Willson.
- Clerk Wooldridge reported that the 2019 Legislation changing the Local Election Act requires that the TIDD Board election be conducted in November, by the Taos County Clerk. Board members will be elected by qualified registered electors. Property ownership is no longer a basis for qualification to vote in a TIDD Board Member election. Eligible candidates are registered voters who are registered to vote in the area to be elected on the date the proclamation calling a local election is filed in the office of the secretary of state, which is August 7, 2019. Candidate filing day is one day only, August 27, 2019 at the Taos County Clerk's office. Election date is November 5, 2019, and the Village's polling place will be the Inn at Taos Valley, at 1314A NM 150, in Amizette. Application for an absentee ballot can be requested from the Taos County Clerk beginning in October. The last day to register to vote in this election is October 8, 2019. The NM Self Insurers Fund safety training requirements were met for FY19 by Village Staff, which resulted in a discount of \$11,835 off of the Village's FY20 Liability and Workers Comp insurance premiums. Staff is considering adopting a new Records Retention Schedule, one that was adopted by the NM Clerks and Finance Officers Association.
- Attorney Baker said that the mediation between the Village and TSVI would be taking place on July 28-29, 2019. One Councilor and the Mayor will attend, as well as Administrator Avila and Attorney Baker. The mediation will not be open to the public.

11. OLD BUSINESS

12. NEW BUSINESS

A. Consideration to Approve Resolution No. 2020-399 Requesting a Permanent Budget Adjustment to the FY2019 Budget to Increase Expenses and to Increase the Transfer from Lodgers Tax Fund (15) to the Parks and Recreation Fund (10) to cover the Additional Expense

The Village submitted its fiscal year 2018-19 budget in July of 2018. At that time the Lodger's Tax committee had approved a \$10,000 budget to transfer funds in support of Parks and Recreation. The Parks and Recreation Committee plans a Village beautification program every year, supplying flower baskets on Sutton Place and the Plaza area. This summer many of the basket shells needed replacement and some baskets were added, making the flower purchase

expense above the anticipated amount. The Parks and Recreation Committee requested an additional transfer of \$650.00 from the Lodger's Tax Board to cover this expense overage and it was unanimously approved by the Board.

MOTION: To Approve Resolution No. 2020-399 Requesting a Permanent Budget Adjustment to the FY2019 Budget to Increase Expenses and to Increase the Transfer from Lodgers Tax Fund (15) to the Parks and Recreation Fund (10) to cover the Additional Expense

Motion: Councilor Stagg

Second: Councilor Kern

Passed: 4-0

B. Consideration to Approve Resolution No. 2020-400 Approving the 4th quarter FY 2019 Financial Report for the Year Ending June 30, 2019

As per State Statute, the Village is required to submit the final fiscal year 2019 4th quarter report along with the corresponding profit and loss statement no later than July 31, 2019 to the Department of Finance and Administration Local Government Division. This report is a recap of the financial events of fiscal year 2019 beginning July 1, 2018 and ending June 30, 2019, and verifies the ending fund balances for all Village funds. The accurate ending fund balances are an integral part of the next fiscal year 2020 budget.

MOTION: To Approve Resolution No. 2020-400 Approving the 4th quarter FY 2019 Financial Report for the Year Ending June 30, 2019

Motion: Councilor Wittman

Second: Councilor Pattison

Passed: 4-0

C. Consideration to approve Resolution No. 2020-401, FY2020 Final Budget Adoption

As per State Statute and the Department of Finance and Administration, the Village Council must review and approve the final fiscal year budget for FY2019-2020 prior to submission. The original budget was presented to the Council at a budget workshop held on May 14, 2019. The budget includes a 4% rate increase for water and sewer for both the fixed and the usage rates and a 5% increase for trash. See Ordinance No. 2019-68 for rate amounts.

Since Council's review of the budget, all actual numbers have been entered into the Council working budget spreadsheet as of June 30, 2019 and fund balances are now final. The Department of Finance and Administration Local Government Division has a new policy to not allow any changes to the revenue and expense categories without its approval. Only cash balances can be changed at this time unless the Village has a reason to request that the Local Government Division open other object codes within the budget.

At the end of fiscal year 2019 the Village was awarded two capital outlay amounts. The first is for the construction of the waste water treatment plant and the second is for the engineering and development of Gunsite Springs. In addition, the Parks and Recreation Committee requested additional funding from lodger's tax which was approved. Here are the changes to the FY2020 budget:

FUND	ACCOUNT	AMOUNT
42 Sewer (53400)	4056(47300)-Cap Outlay/Revenue	(\$1,300,000.00)
42 Sewer (53400)	6220 (55030) Contractor Expense	\$ 800,000.00
42 Sewer (53400)	8322 (58040) Capital WWTP	150,000.00
41 Water (53400)	4056 (47300) Cap Outlay/Revenue	(\$ 315,000.00)
41 Water (53400)	6220 (55030) Contractor Expense	\$ 315,000.00
10 Parks (21700)	6220 (55030) Outside contractor	\$ 5,000.00
10 Parks (21700)	9002 (61100) Transfer in	(\$ 5,000.00)
15 Lodgers Tax (21400)	9001 (61200) Transfer out	\$ 5,000.00

These amounts will be added to the final FY2020 budget. The capital outlay awards are official and lodger's tax committee has approved the increase to Parks and Recreation. The expenses have been increased in the Sewer Depreciation fund to better address the actual expenses of the treatment plant. Any further changes to the budget will need to be accomplished through Budget Adjustment Requests (BARS). All other items originally presented to Council at the May workshop remain the same.

MOTION: To Approve Resolution No. 2020-401, FY2020 Final Budget Adoption

Motion: Councilor Wittman

Second: Councilor Kern

Passed: 4-0

The Council expressed its thanks to Director Grabowski.

D. Consideration to Approve Resolution No. 2020-402 A Resolution Approving the Disposal of the Wastewater Treatment Plant Propane Tank, a Capital Asset Owned by the Village of Taos Ski Valley

The Village has determined that the WWTP Propane Tank will no longer be used and should be disposed of. The Plant will be hooked onto the natural gas lines during the 2019 summer construction for the upgrades. The tank holds 3,000 gallons and was purchased in 1993. The tank will either be donated to another municipality or will be sold by surplus auction.

MOTION: To Approve Resolution No. 2020-402 A Resolution Approving the Disposal of the Wastewater Treatment Plant Propane Tank, a Capital Asset Owned by the Village of Taos Ski Valley

Motion: Councilor Kern

Second: Councilor Wittman

Passed: 4-0

E. Consideration to Approve Resolution No. 2020-403 A Resolution Designating the Location of an Election Polling Place for the Municipal Officer Election Day to be Conducted in 2020

The NM Legislature passed House Bill 407 in 2019 which changed the NM State Statutes for election codes for municipalities. In January 2019 the Village Council adopted Resolution 2019-380 which was submitted to the NM Secretary of State's office for the Village of Taos Ski Valley to be on record as continuing to conduct Municipal Elections in March of even-numbered years.

As part of the new election code, it is required that the Council adopt a resolution before July 31, 2019 designating the polling place of the precinct that shall provide individuals with physical mobility limitations an unobstructed access to at least one voting machine. Taos County uses the Inn at Taos Valley for the polling place for the Village's precinct when the County conducts elections. This location has been deemed to be the most accessible to voters.

MOTION: To Approve Resolution No. 2020-403 A Resolution Designating the Location of an Election Polling Place for the Municipal Officer Election Day to be Conducted in 2020

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

F. Consideration to Approve the Annual Contract with the Village of Taos Ski Valley Chamber of Commerce for Fiscal Year 2020

The Village has supported the Taos Ski Valley Chamber of Commerce with lodger's tax collections for many years. The Chamber in turn supports the community of Village businesses with digital marketing of the Chamber website, TaosSkiValley.com, which hosts more than 300 pages promoting the area along with a monthly blog featuring member businesses. The Chamber additionally posts daily Facebook and Instagram stories featuring businesses and events. The Chamber collaborates with the Town of Taos and the Taos Ski Valley, Inc. to produce a yearly Vacation Guide that is distributed to Texas and New Mexico hotels, Phoenix and San Diego airports, and ski industry trade shows. The TSV Chamber also supports Member events by covering the costs of the bands, and will host almost 300 runners for the 14th annual Up & Over 10K trail run coming up August 3rd.

Chamber Director Courtney Tucker said the Chamber has been working more closely with TSVI on special events, which she said has proved to be advantageous for everyone.

MOTION: To Approve the Annual Contract with the Village of Taos Ski Valley Chamber of Commerce for Fiscal Year 2020

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

G. Consideration to Approve Awarding Contract for Village Trail Development, Maintenance, and Promotion Services to the Enchanted Circle Trails Association

Administrator Avila said that the Enchanted Circle Trails Association (ECTA) Director Carl Colonius presented at the June 11, 2019 Village Council meeting about getting a contract with the Village for trail services, and the lack of financial support from the ECCOG for his proposed service. Reference was made to the Village Council vote of support for a regional trails plan and service at the June 10, 2018 Council meeting.

Direction was given to the Village Administrator at the June 11, 2019 meeting to negotiate a contract for services with ECTA for Council review. The contract for Village services and actions that also benefits the region is for \$4,500 to be made in quarterly payments, after acceptance of the project quarterly report.

A funding source for the contract is not yet identified but can be included in future budget adjustment resolutions. For example, Lodgers Tax as enacted by the state may be used for:

- collecting and administering the tax;
- establishing, operating, purchasing, constructing, otherwise acquiring real property or any interest in real property for the site of tourist-related facilities, attractions or transportation systems;
- advertising, publicizing and promoting tourist-related attractions, facilities and events;
- providing police and fire protection and sanitation service for tourist-related events, facilities and attractions;
- principal and interest on certain premiums due in connection with lodgers' tax revenue bonds;
- and other administrative functions

Administrator Avila said that the Staff recommends approval of the negotiated contract and payments of \$1,125 after acceptance of the quarterly reports, and to seek funding for the contract from the Lodgers Tax Board.

MOTION: To Approve Awarding Contract for Village Trail Development, Maintenance, and Promotion Services to the Enchanted Circle Trails Association

Motion: Councilor Pattison Second: Councilor Wittman

Councilor Pattison said that this is a very worthwhile effort and that much of the work is already being done by the Enchanted Circle Trails Association. Homeowner Kathy Bennett asked about a budget for the contract. The scope of work is in the contract, and the Village would approve the work before making the quarterly payment.

The Mayor called for a vote.

Passed: 4-0

H. Consideration to Approve Signature of North Central Regional Transit District Amended Intergovernmental Agreement

The North Central Regional Transit District (District) Board of Directors at their June 14, 2019 meeting voted to add the Village of Questa as a new member of the Board of Directors and amend Appendix "B" (Voting Strengths Analysis) of the Intergovernmental Contract (IGC). The modified IGC is changed to include the Village of Questa, and attached is updated Voting Strengths Analysis showing the change due to the addition of the new member. All other provisions of the IGC remain unchanged. In order for the modification of the IGC to become effective, the District will need each member entity to execute their signature page and to return it to the NCRTD.

MOTION: To Approve Signature of North Central Regional Transit District Amended Intergovernmental Agreement

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

13. MISCELLANEOUS

A. Councilor Wittman recommended to the Mayor to consider seeking professional mediation to resolve problems occurring between the Village and TSVI.

14. CLOSED SESSION

A. Discussion of Possible or Pending Litigation

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (7)

B. Discussion of the Acquisition of Real Property

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (8)

C. Discussion of Limited Personnel Matters

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (2)

MOTION: To go to Closed Executive Session

Motion: Councilor Wittman

Second: Councilor Kern

Passed: 4-0

MOTION: To return to Open Session

Motion: Councilor Stagg

Second: Councilor Kern

Passed: 4-0

No decisions or motions were made during closed session.

12. I. Direction to Request of the TIDD Board Professional Expenses Required for Intended Thunderbird Road Alignment (item to follow closed session)

MOTION: To Request of the TIDD Board Professional Expenses Required for Intended Thunderbird Road Alignment

Motion: Councilor Wittman

Second: Councilor Kern

Passed: 4-0

J. Consideration to Appoint Elected Officials to Attend Mediation with TSVI on July 29, 2019 (item to follow closed session)

MOTION: To Appoint Mayor Brownell and Councilor Wittman to Attend Mediation with TSVI on July 29, 2019

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

15. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

The next Regular Village Council Meeting will be held on Tuesday, August 13, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room.

16. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Wittman

The meeting adjourned at 5:45 p.m.

Second: Councilor Pattison

Passed: 4-0

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Presentation by David Monteith, New Mexico Tax and Revenue Department

DATE: August 13, 2019

PRESENTED BY: Administrator John Avila

STATUS OF AGENDA ITEM: Presentation

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: In an on-going effort to understand the NM Tax and Revenue Department's calculations of Village baseline and Village and TIDD incremental tax allocations, Village Staff invited Mr. David Monteith of the New Mexico Tax and Revenue Department to speak with the Village Council.

RECOMMENDATION: Discussion

Michelle Lujan Grisham
Governor

Stephanie Schardin Clarke
Cabinet Secretary

August 9, 2019

Dear Taos Ski Valley Counsel and TIDD Board Members:

This correspondence is to clarify the reports available on the Department website. The Department provides reports to municipalities pursuant to Section 7-1-8.9 NMSA 1978. Because the reports contain confidential taxpayer information, the Department will only provide the reports after a municipality has executed a Confidentiality Agreement and the personnel who will review the reports have undergone confidentiality training.

There are four different reports that may be requested by a municipality pursuant to Section 7-1-8.9 NMSA 1978, which are: 455-GRT filers by location, Monthly Local GRT Payer Range Report, Distribution Increase or Decrease Report and the Filer Verification Report.

455-GRT Filers by location is designed to aid your municipality or TIDD in the self-monitoring of GRT filers in your jurisdiction during the time period indicated on the report. A municipality may request this report pursuant to Section 7-1-8.9(A)(1)(a) NMSA 1978, and a county may request this report pursuant to Section 7-1-8.9(A)(2)(a) NMSA 1978.

The Monthly Local Government GRT Payer Range report is designed to show your municipality a “range” of the gross receipts paid by the taxpayer that is distributed to each location tax option within your geographic jurisdiction. A municipality may request this report pursuant to Section 7-1-8.9(A)(1)(b) NMSA 1978.

The Distribution Increase or Decrease Report is intended to allow a municipality to verify the amount of distribution or transfer it received pursuant to Section 7-1-6.15 NMSA 1978. A municipality may request this report pursuant to Section 7-1-8.9(A)(3) NMSA 1978.

The “Filer Verification Report” allows a municipality to furnish to the Department a list of businesses from your geographic jurisdiction, and have the Department verify whether these businesses have reported gross receipts to the Department but have not reported gross receipts within the proper geographic jurisdiction. A municipality may request this report pursuant to Section 7-1-8.9(A)(1)(c) NMSA 1978, and a county may request this report pursuant to Section 7-1-8.9(A)(2)(c) or (d) NMSA 1978.

**TAXATION
&
REVENUE**
NEW MEXICO

Michelle Lujan Grisham
Governor

Stephanie Schardin Clarke
Cabinet Secretary

DIVISIONS

Office of the Secretary
(505) 827-0341
Administrative Services
(505) 827-0369
Audit and Compliance
(505) 827-0900
Motor Vehicle
(505) 827-2296
Property Tax
(505) 827-0870
Revenue Processing
(505) 827-0800
Tax Fraud Investigation
(505) 841-5578

The reports are finished by the Department to assist the municipality on information that is more detailed than the public reports available. Each report is designed to answer questions about the taxpayers filing GRT in your jurisdiction. Because of taxpayer confidentiality and Federal Tax Information, there is not a report that will reconcile to the RP-500. The only report available for a TIDD's is the 455-GRT filer by location due to sharing agreement with the parent location.

Please let me know if you have further questions regarding the reports provided by the Department.

Sincerely



David Monteith
Local Government Liaison
505-827-2588
david.monteith@state.nm.us

455 - GRT Filers by Location

455 - GRT Filers by Location is designed to aid your municipality or county in the self-monitoring which gross receipts taxpayers are reporting within your geographic jurisdiction. *455 - GRT Filers by Location* lists all taxpayers which have reported all or part of their gross receipts in your jurisdiction during the time indicated on the report.

The information contained in *455 - GRT Filers by Location* is described by column heading:

HEADING

DESCRIPTION

Location..... Location and name of the county or municipality

NAICSTaxpayer's major business activity in New Mexico

IDTaxation and Revenue Department's CRS identification number

Name.....Taxpayer

Street; City;

State; Zip.....Taxpayer's mailing address on file with Taxation and Revenue

Filing Period.....Month for which a CRS-1 form was filed by the taxpayer. The field will indicate "x" if a report was filed and will be blank if no report was filed.

Naics ID	Account Commence	Name	Street	City	State	Zip	1/31/2018	2/28/2018	3/31/2018
812 01-999999-00-4	11/12/2001	ABC LANDSCAPING	31 CUMBERLAND BLVD SE	Valley	NM	87111		X	
81 02-000066-00-1	09/01/2002	ELECTRIC COMPAY	101 LINDENWOOD DR	Sky	NM	87963			
8111 03-444556-00-4	11/01/2009	INTERNET SERVICES	1 W ARTESIA BLVD	Hill	CA	90001	X		X

Should you have any questions, please contact:

David Monteith
Local Government Liaison
New Mexico Department Taxation and Revenue
tax.localgov@state.nm.us
505-827-2588

A municipality may request this report pursuant to Section 7-1-8.9(A)(1)(a), and a county may request this report pursuant to Section 7-1-8.9(A)(2)(a).

Distribution Decrease or Increase –
CRS Monthly Local Governments Distribution per §7-1-6.15 1978 NMSA

The *Distribution Decrease or Increase* report is intended to allow you to verify the amount of distributions or transfers you received pursuant to Section 7-1-6.15 NMSA 1978. A municipality or county may request this report pursuant to Section 7-1-8.9(A)(3). NOTE: The *Distribution Decrease or Increase* report is subject to additional confidentiality requirements; please contact Taxation and Revenue's Local Government Liaison at the telephone number or email address given below for more information.

The information contained in the Distribution Increase or Decrease Report is described by column heading:

<u>HEADING</u>	<u>DESCRIPTION</u>
Type.....	Journal voucher or administration fee
CustomerName.....	Taxpayer's name as registered with Taxation and Revenue
AccountID.....	Taxation and Revenue Department's CRS identification number
FilingPeriod.....	Month for which a CRS-1 form was filed by the taxpayer
LocalGovName.....	Name of location code
Option.....	Tax option the GRT taxes were account for distributions paid by the taxpayer
Tax.....	Amount of GRT taxpayer contributed to the tax option
Penalty.....	Amount of penalty taxpayer contributed to the tax option
Interest.....	Amount of interest taxpayer contributed to the tax option
Unallocated.....	Amount of GRT not associated with a tax option
Outstanding Balance.....	[needs description]
Revenue Period.....	Period for which the location code received the distributions

Type	CustomerName	AccountID	FilingPeriod	LocalGovName	Option	Tax	Penalty	Interest	Unallocated	Outstanding Balance	Revenue Period
JV	ABC Landscaping	01-11111-11-1	9/30/2018	Valley	630-Municipal Environment	1.04	1.79	0.05	0.00	2.88	1/31/2019
JV	NM Travel	02-33331-00-0	9/30/2018	Valley	635-Muni Capital Outlay GRT	4.16	7.17	0.23	0.00	11.56	1/31/2019

Should you have any questions, please contact:

David Monteith
 Local Government Liaison
 New Mexico Department Taxation and Revenue
tax.localgov@state.nm.us
 505-827-2588

A municipality or county may request this report pursuant to Section 7-1-8.9(A)(3). NOTE: this report is subject to additional confidentiality requirements; please review the applicable law carefully.

Monthly Local Government GRT Payer Range

The *Monthly Local Government GRT Payer Range* report is designed to show your municipality or county a "range" of the by a taxpayer within your geographic jurisdiction.

The information contained in the *Monthly Local Government GRT Payer Range* Report is described by column heading:

<u>HEADING</u>	<u>DESCRIPTION</u>
Loc.....	Journal voucher of administrative fee
AccountName.....	Taxpayer's name as registered with Taxation and Revenue
AccountAddress.....	Taxpayer's mailing address
AccountID.....	Taxation and Revenue Department's CRS identification number
FilingPeriod.....	Month for which a CRS-1 Form was filed by the taxpayer
LocalGovName.....	Name of location code for the report
Option.....	Tax option the GRT taxes were account for distributions paid by the taxpayer
AmountRange.....	Range for the amount of GRT tax that was distributed in the local option for the location code
Revenue Period.....	Period that the funds were distributed to the location code

Loc	AccountName	AccountAddress	AccountID	FilingPeriod	LocalGovName	Option	AmountRange	Revenue Period
ADMIN FEE					Westeros	630-Municipal Environment	-500 --100	1/31/2018
ADMIN FEE					Westeros	630-Municipal Environment(Food)	-100 - -50	1/31/2018
ADMIN FEE					Westeros	630-Municipal Environment(Medical)	-50 - 0	1/31/2018
JV	ABC Landscaping LLC	1 Main St, Westeros NM 87555	01-000111-00-1	12/31/2017	Westeros	650-Municipal GRT	0 - 50	1/31/2018
JV	Electric Company	555 Your St, Westeros NM 87556	02-333333-00-0	12/31/2018	Westeros	650-Municipal GRT	1000-5000	1/31/2018

Should you have any questions, please contact:

David Monteith
Local Government Liaison
New Mexico Department Taxation and Revenue
tax.localgov@state.nm.us
505-827-2588

This report is available for the period of twelve (12) months preceding the date of the request; each separate "Range Report" covers a single month. A municipality may request this report pursuant to Section 7-1-8.9(A)(1)(b), and a county may request this report pursuant to Section 7-1-8.9(A)(2)(b).

Lodger's Tax

CURRENT RATE = 5%

7/01/04 thru Current the tax rate is 5%; 2/97 thru 6/04 tax rate was 4.5%

LODGERS' TAX

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2009	\$2,308.21	\$17,029.81	\$4,613.37	\$1,998.89	\$2,683.42	\$2,329.41	\$69,821.07	\$48,658.30	\$64,074.56	\$63,514.05	\$2,163.00	\$1,019.51
YTD	\$2,308.21	\$19,338.02	\$23,951.39	\$25,950.28	\$28,633.70	\$30,963.11	\$100,784.18	\$149,442.48	\$213,517.04	\$277,031.09	\$279,194.09	\$280,213.60
FY 2010	\$6,555.17	\$6,692.88	\$6,626.34	\$2,464.04	\$3,071.98	\$3,065.62	\$58,358.23	\$53,226.27	\$63,632.42	\$73,788.32	\$5,154.71	\$2,591.00
YTD	\$6,555.17	\$13,248.05	\$19,874.39	\$22,338.43	\$25,410.41	\$28,476.03	\$86,834.26	\$140,060.53	\$203,692.95	\$277,481.27	\$282,635.98	\$285,226.98
FY 2011	\$3,799.08	\$5,779.40	\$4,203.94	\$4,540.58	\$826.80	\$4,048.19	\$48,139.08	\$38,771.02	\$56,737.62	\$53,736.46	\$1,376.99	\$1,907.76
YTD	\$3,799.08	\$9,578.48	\$13,782.42	\$18,323.00	\$19,149.80	\$23,197.99	\$71,337.07	\$110,108.09	\$166,845.71	\$220,582.17	\$221,959.16	\$223,866.92
FY 2012	\$5,123.77	\$5,559.34	\$7,292.78	\$3,573.23	\$2,125.17	\$25,832.86	\$57,242.46	\$54,829.42	\$66,115.91	\$72,972.48	\$6,978.68	\$4,665.17
YTD	\$5,123.77	\$10,683.11	\$17,975.89	\$21,549.12	\$23,674.29	\$49,507.15	\$106,749.61	\$161,579.03	\$227,694.94	\$300,667.42	\$307,646.10	\$312,311.27
FY 2013	\$3,611.20	\$6,647.21	\$6,362.49	\$6,914.30	\$3,587.06	\$4,412.71	\$41,548.72	\$58,051.35	\$89,819.08	\$65,779.34	\$2,387.53	\$1,223.37
YTD	\$3,611.20	\$10,258.41	\$16,620.90	\$23,535.20	\$27,122.26	\$31,534.97	\$73,083.89	\$131,135.04	\$200,954.12	\$266,733.46	\$269,120.99	\$270,344.36
FY 2014	\$2,832.98	\$7,754.90	\$7,045.56	\$19,777.25	\$4,319.60	\$4,888.83	\$54,643.19	\$58,342.34	\$68,032.70	\$67,580.97	\$4,688.03	\$1,953.28
YTD	\$2,832.98	\$10,587.88	\$17,633.44	\$37,410.69	\$41,730.29	\$46,619.12	\$101,262.31	\$159,604.65	\$227,637.35	\$295,218.32	\$299,906.35	\$301,859.63
FY 2015	\$2,492.93	\$6,804.83	\$15,377.68	\$9,451.74	\$6,196.45	\$7,739.68	\$48,605.50	\$66,074.56	\$67,834.16	\$75,221.00	\$5,450.60	\$1,138.28
YTD	\$2,492.93	\$9,297.76	\$24,675.44	\$34,127.18	\$40,323.63	\$48,063.31	\$96,668.81	\$162,743.37	\$230,577.53	\$305,798.53	\$311,249.13	\$312,387.41
FY 2016	\$3,159.70	\$22,368.20	\$9,450.74	\$5,746.17	\$4,197.87	\$9,297.58	\$53,807.00	\$72,513.85	\$76,593.23	\$71,244.05	\$3,250.86	\$2,501.47
YTD	\$3,159.70	\$25,527.90	\$34,978.64	\$40,724.81	\$44,922.68	\$54,220.26	\$108,027.26	\$180,541.11	\$257,134.34	\$328,378.39	\$331,629.25	\$334,130.72
FY 2017	\$3,312.79	\$6,428.45	\$20,520.20	\$6,104.38	\$4,731.31	\$5,975.60	\$52,006.45	\$57,922.20	\$70,032.91	\$81,036.07	\$5,683.84	\$3,145.21
YTD	\$3,312.79	\$9,741.24	\$30,261.44	\$36,365.82	\$41,097.13	\$47,072.73	\$99,079.18	\$157,001.38	\$227,034.29	\$308,070.35	\$313,754.20	\$316,899.41
FY 2018	\$26,463.06	\$13,960.76	\$11,225.88	\$8,960.06	\$6,207.19	\$6,521.15	\$71,990.70	\$56,655.53	\$68,454.45	\$74,080.27	\$1,667.88	\$3,332.25
YTD	\$26,463.06	\$40,423.82	\$51,649.70	\$60,609.76	\$66,816.95	\$73,338.10	\$145,328.80	\$201,984.33	\$270,438.78	\$344,519.05	\$346,186.93	\$349,519.18
FY2019	\$8,692.23	\$17,791.85	\$15,936.00	\$15,977.48	\$11,905.77	\$18,255.86	\$89,403.18	\$100,794.38	\$105,205.05	\$122,892.45	\$12,426.36	\$5,097.57
YTD	\$8,692.23	\$26,484.08	\$42,420.08	\$58,397.56	\$70,303.33	\$88,559.19	\$177,962.37	\$278,756.75	\$383,961.80	\$506,854.25	\$519,280.61	\$524,378.18
FY2020	\$9,107.40											
YTD	\$9,107.40											

Current month LT collections reflects money generated in the previous month.

Aug FY2016 includes \$15K late LT
 Sept 2016 includes \$10,172 in Late LT for FY2016
 July FY2018 includes \$17,455 Late lodgers tax For FY2017
 Sept 2016-Approx \$3,261 is for Late Lodgers Tax

VILLAGE OF TAOS SKI VALLEY

GROSS RECEIPTS & LODGER'S TAX COLLECTION SUMMARY

Gross Receipts Tax
CURRENT RATE = 9.25%

GROSS RECEIPTS

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2009	\$5,978.98	\$31,604.97	\$36,411.72	\$34,168.28	\$36,755.21	\$36,869.62	\$81,443.70	\$194,410.32	\$178,012.59	\$176,315.78	\$191,892.82	\$36,332.99
YTD	\$5,978.98	\$37,583.95	\$73,995.67	\$108,163.95	\$144,919.16	\$181,788.78	\$263,232.48	\$457,642.80	\$635,655.39	\$811,971.17	\$1,003,863.99	\$1,040,196.98
FY 2010	\$32,800.00	\$38,773.70	\$39,381.43	\$61,759.08	\$56,887.02	\$54,858.12	\$42,174.35	\$223,797.16	\$189,376.01	\$176,576.34	\$221,448.63	\$59,190.36
YTD	\$32,800.00	\$71,573.70	\$110,955.13	\$172,714.21	\$229,601.23	\$284,459.35	\$326,633.70	\$550,430.86	\$739,806.87	\$916,383.21	\$1,137,831.84	\$1,197,022.20
FY 2011	\$31,002.86	\$62,982.96	\$26,127.83	\$33,610.96	\$60,913.74	\$74,949.02	\$42,282.39	\$171,246.82	\$139,053.09	\$142,336.03	\$154,287.41	\$27,928.23
YTD	\$31,002.86	\$93,985.82	\$120,113.65	\$153,724.61	\$214,638.35	\$289,587.37	\$331,869.76	\$503,116.58	\$642,169.67	\$784,505.70	\$938,793.11	\$966,721.34
FY 2012	\$64,073.01	\$26,203.38	\$23,181.89	\$42,430.30	\$60,186.45	\$32,954.89	\$47,797.29	\$207,267.40	\$162,805.78	\$182,358.83	\$200,924.87	\$42,673.54
YTD	\$64,073.01	\$90,276.39	\$113,458.28	\$155,888.58	\$216,075.03	\$249,029.92	\$296,827.21	\$504,094.61	\$666,900.39	\$849,259.22	\$1,050,184.09	\$1,092,857.63
FY 2013	\$36,835.14	\$20,863.12	\$45,705.38	\$27,699.69	\$66,674.98	\$48,677.59	\$50,727.81	\$178,549.60	\$163,125.28	\$166,032.40	\$203,817.88	\$21,818.85
YTD	\$36,835.14	\$57,698.26	\$103,403.64	\$131,103.33	\$197,778.31	\$246,455.90	\$297,183.71	\$475,733.31	\$638,858.59	\$804,890.99	\$1,008,708.87	\$1,030,527.72
FY 2014	\$32,785.51	\$20,399.76	\$33,382.63	\$32,521.83	\$42,153.17	\$47,625.85	\$41,859.55	\$187,697.06	\$165,940.26	\$157,119.60	\$217,538.39	\$33,070.40
YTD	\$32,785.51	\$53,185.27	\$86,567.90	\$119,089.73	\$161,242.90	\$208,868.75	\$250,728.30	\$438,425.36	\$604,365.62	\$761,485.22	\$979,023.61	\$1,012,094.01
FY 2015	\$50,101.37	\$20,302.81	\$45,180.40	\$67,963.83	\$54,978.94	\$102,903.79	\$88,137.83	\$228,895.80	\$200,123.07	\$208,944.00	\$231,566.84	\$70,845.96
YTD	\$50,101.37	\$70,404.18	\$115,584.58	\$183,548.41	\$238,527.35	\$341,431.14	\$429,568.97	\$658,464.77	\$858,587.84	\$1,067,531.84	\$1,299,098.68	\$1,369,944.64
FY 2016	\$37,891.82	\$20,239.04	\$97,742.38	\$25,839.07	\$197,397.64	\$95,985.99	\$224,614.99	\$103,161.00	\$166,682.00	\$180,838.00	\$201,624.53	\$38,366.93
YTD	\$37,891.82	\$58,130.86	\$155,873.24	\$181,712.31	\$379,109.95	\$475,095.94	\$699,710.93	\$802,871.93	\$969,553.93	\$1,150,391.93	\$1,352,016.46	\$1,390,363.39
FY 2017	\$119,909.94	\$55,423.48	\$87,873.13	\$142,357.47	\$41,995.22	\$148,618.10	\$142,636.32	\$187,613.18	\$204,129.97	\$165,451.68	\$208,890.93	\$76,774.96
YTD	\$119,909.94	\$175,333.42	\$263,206.55	\$405,564.02	\$447,559.24	\$596,177.34	\$738,813.66	\$926,426.84	\$1,130,556.81	\$1,296,008.49	\$1,504,899.42	\$1,581,674.38
FY 2018	\$29,864.17	\$48,702.07	\$58,630.68	\$75,354.62	\$89,599.77	\$118,550.59	\$207,717.57	\$250,972.85	\$212,959.98	\$187,022.24	\$243,419.70	\$35,925.42
YTD	\$29,864.17	\$78,566.24	\$137,196.92	\$212,551.54	\$302,151.31	\$420,701.90	\$628,419.47	\$879,392.32	\$1,092,352.30	\$1,279,374.54	\$1,522,794.24	\$1,558,719.66
FY2019	\$54,483.94	\$55,106.22	\$86,640.50	\$136,554.40	\$141,644.03	\$189,464.82	\$258,317.57	\$323,305.93	\$301,671.26	\$252,340.78	\$319,694.92	\$86,838.09
YTD	\$54,483.94	\$109,590.16	\$196,230.66	\$332,785.06	\$474,429.09	\$663,893.91	\$922,211.48	\$1,245,517.41	\$1,547,188.67	\$1,799,529.45	\$2,119,224.37	\$2,206,062.46
FY2020	\$73,181.77											
YTD	\$73,181.77											

Current month GRT collections reflects money generated 2 months prior.

* NOTE: Feb 2007-Sept. 2012: Includes NMFA loan pay deduction. Note starts again Aug 2016

VILLAGE OF TAOS SKI VALLEY

Profit & Loss Prev Year Comparison

July 2019

	Jul 19	Jul 18	\$ Change	% Change
Ordinary Income/Expense				
Income				
4012 · REVENUE -Water Sales	14,192.97	44,875.28	-30,682.31	-68.37%
4013 · Revenue - Sewer	56,771.68	0.00	56,771.68	100.0%
4019 · Hold Harmless GRT Revenue	6,055.69	5,821.77	233.92	4.02%
4020 · REVENUE - GRT MUNICIPAL	33,967.06	22,120.98	11,846.08	53.55%
4021 · REVENUE - GRT- STATE	27,597.99	18,378.03	9,219.96	50.17%
4022 · REVENUE - GRT - ENVIRONMENT	1,407.96	906.92	501.04	55.25%
4023 · REVENUE - GRT - INFRASTRUCTURE	5,632.14	3,628.12	2,004.02	55.24%
4025 · REVENUE -LIQUOR LICENSES	250.00	0.00	250.00	100.0%
4026 · REVENUE - BUSINESS LICENSE	365.00	460.00	-95.00	-20.65%
4027 · REVENUE - OTHER	30,124.00	40.00	30,084.00	75,210.0%
4028 · REVENUE - GASOLINE TAX	417.00	453.02	-36.02	-7.95%
4029 · REVENUE - LODGER'S TAX	9,107.40	8,692.23	415.17	4.78%
4031 · REVENUE - PARKING FINES	0.00	60.00	-60.00	-100.0%
4034 · REVENUE - MOTOR VEHICLE FEES	1,556.17	1,434.63	121.54	8.47%
4035 · REVENUE - BUILDING PERMITS	3,331.42	1,381.69	1,949.73	141.11%
4036 · REVENUE -Licenses/Permits Other	10.00	160.00	-150.00	-93.75%
4046 · REVENUE - SOLID WASTE FEE	4,427.34	2,735.57	1,691.77	61.84%
4047 · REVENUE - OTHER OPERATING	1,889.42	752.92	1,136.50	150.95%
4049 · REVENUE - FIRE GRANTS	48,868.40	46,726.80	2,141.60	4.58%
4053 · REVENUE - GRT MUN CAP OUTLAY1/4	5,632.14	3,628.12	2,004.02	55.24%
4058 · Plan Review Fees	1,290.97	624.09	666.88	106.86%
4100 · Miscellaneous Revenues				
4110 · Misc Revenue- TIDD reimburse	7,333.07	2,528.66	4,804.41	190.0%
Total 4100 · Miscellaneous Revenues	7,333.07	2,528.66	4,804.41	190.0%
7004 · REVENUE - FINANCE CHARGE ON W/S	52.70	26.36	26.34	99.92%
7005 · REVENUE - INTEREST INCOME	0.00	7,552.39	-7,552.39	-100.0%
7010 · REVENUE - AD VALOREM TAX	8,120.94	6,845.20	1,275.74	18.64%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
Total Income	268,401.46	179,832.78	88,568.68	49.25%
Gross Profit	268,401.46	179,832.78	88,568.68	49.25%
Expense				
6100 · Salary and Benefits				
6112 · SALARIES - STAFF	126,805.44	83,202.00	43,603.44	52.41%
6113 · SALARIES - ELECTED	3,939.21	2,626.14	1,313.07	50.0%
6115 · Overtime salaries	738.82	144.80	594.02	410.24%
6121 · WORKER'S COMP INSURANCE	0.00	18,175.12	-18,175.12	-100.0%
6122 · HEALTH INSURANCE	14,636.20	15,489.74	-853.54	-5.51%
6125 · FICA EMPLOYER'S SHARE	9,951.79	6,461.81	3,489.98	54.01%
6127 · SUTA STATE UNEMPLOYEMENT	118.04	102.75	15.29	14.88%
6128 · PERA Employer Portion	10,285.08	6,303.06	3,982.02	63.18%
6130 · HEALTH INCENTIVE - SKI PASS/GYM	300.00	0.00	300.00	100.0%
6133 · Life Insurance	71.40	0.00	71.40	100.0%

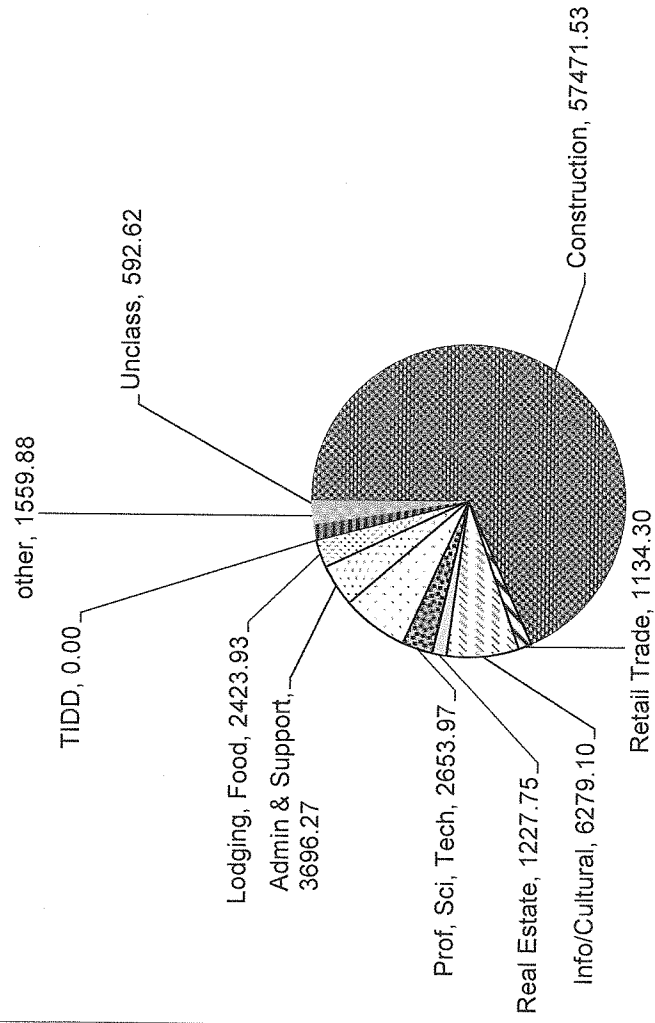
VILLAGE OF TAOS SKI VALLEY

Profit & Loss Prev Year Comparison

July 2019

	Jul 19	Jul 18	\$ Change	% Change
6134 · Dental insurance	932.23	955.57	-23.34	-2.44%
6135 · Vision Insurance	164.53	168.51	-3.98	-2.36%
Total 6100 · Salary and Benefits	167,942.74	133,629.50	34,313.24	25.68%
6220 · OUTSIDE CONTRACTORS	33,204.79	55,906.12	-22,701.33	-40.61%
6225 · ENGINEERING	0.00	13,447.77	-13,447.77	-100.0%
6230 · LEGAL SERVICES	1,881.12	4,564.77	-2,683.65	-58.79%
6242 · ACCOUNTING	462.95	0.00	462.95	100.0%
6244 · AUDIT	4,352.69	0.00	4,352.69	100.0%
6251 · WATER PURCHASE, STORAGE	94.71	51.51	43.20	83.87%
6253 · ELECTRICITY	2,294.66	2,162.19	132.47	6.13%
6256 · TELEPHONE	1,358.86	1,320.26	38.60	2.92%
6257 · RENT PAID	630.00	630.00	0.00	0.0%
6258 · WATER CONSERVATION FEE	89.33	48.51	40.82	84.15%
6259 · Natural Gas	117.88	60.93	56.95	93.47%
6270 · LIABILITY & LOSS INSURANCE	0.00	33,395.51	-33,395.51	-100.0%
6312 · CHEMICALS & NON DURABLES	772.70	2,244.06	-1,471.36	-65.57%
6313 · MATERIAL & SUPPLIES	2,974.60	5,895.84	-2,921.24	-49.55%
6314 · Dues/fees/registration/renewals	2,685.00	2,820.97	-135.97	-4.82%
6315 · BANK CHARGES	0.00	203.74	-203.74	-100.0%
6317 · Personal Protective Equipment	0.00	440.90	-440.90	-100.0%
6318 · Postage	262.00	150.00	112.00	74.67%
6320 · EQUIPMENT REPAIR & PARTS	1,873.44	680.32	1,193.12	175.38%
6322 · SMALL EQUIP & TOOL PURCHASES	47.09	0.00	47.09	100.0%
6323 · SYSTEM REPAIR & PARTS	0.00	281.97	-281.97	-100.0%
6331 · OUTSIDE TESTING SERVICES	0.00	0.00	0.00	0.0%
6417 · VEHICLE MAINTENANCE	119.60	150.56	-30.96	-20.56%
6418 · FUEL EXPENSE	1,341.49	2,488.25	-1,146.76	-46.09%
6432 · TRAVEL & PER DIEM	133.16	1,259.06	-1,125.90	-89.42%
6434 · TRAINING	49.00	2,280.12	-2,231.12	-97.85%
6560 · Payroll Expenses	0.00	0.00	0.00	0.0%
6570 · Other Operations Expenses	1,347.74	0.00	1,347.74	100.0%
6716 · LAB TESTING SERVICES	1,452.33	2,233.87	-781.54	-34.99%
8322 · CAPITAL EXPENDITURES	0.00	0.00	0.00	0.0%
Total Expense	225,487.88	266,346.73	-40,858.85	-15.34%
Net Ordinary Income	42,913.58	-86,513.95	129,427.53	149.6%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO FUND	-5,858.88	-38,920.00	33,061.12	84.95%
9002 · TRANSFER FROM FUND	5,858.88	38,920.00	-33,061.12	-84.95%
Total Other Expense	0.00	0.00	0.00	0.0%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	42,913.58	-86,513.95	129,427.53	149.6%

Village of Taos Ski Valley Gross Receipts Distribution July 2019



Construction	Retail Trade	Info/Cultural	Real Estate
Prof, Sci, Tech	Admin & Support	Admin & Support	Lodging, Food
TIDD	Admin Fee	other	Unclass

FY2020 TIDD GRT Distribution

Date	VTSV Increment	State Increment	Admin Fees	Total TIDD	NMFA Offset	Hold Harmless GRT	VTSV Cash Received/with HH GRT (NOT offset)
7/15/2017	-	-	-	-	5,763.47		24,100.70
8/15/2017	-	-	-	-	5,763.47	375.39	42,938.60
9/15/2017	1,963.78	1,553.10	(30.32)	3,486.56	5,763.47	6,313.93	52,867.21
10/15/2017	-	-	-	-	5,763.47	7,023.40	69,591.15
11/17/2017	19,717.45	15,594.02	(304.57)	35,006.90	5,763.47	10,664.15	83,836.30
12/15/2017	-	-	-	-	5,763.47	11,907.89	112,787.12
1/16/2018	-	-	-	-	5,763.47	20,438.47	201,954.10
2/17/2018	9,639.99	7,478.59	(147.66)	16,970.92	5,763.47	26,140.24	245,209.38
3/17/2018	4,088.96	3,233.85	(63.16)	7,259.65	5,763.47	21,753.62	207,196.51
4/18/2018	9,079.59	7,180.81	(140.25)	16,120.15	5,763.47	18,859.26	181,258.77
5/17/2018	59,594.75	47,132.00	(920.55)	105,806.20	5,763.47	28,367.80	243,419.70
6/15/2018	5,916.19	4,678.97	(91.38)	10,503.78	5,763.47	4,685.39	35,925.42
TOTAL FY18	110,000.71	86,851.34	(1,697.89)	195,154.16	69,161.64	156,529.54	1,501,084.96
7/18/2018	3,989.99	3,155.58	(61.63)	7,083.94	5,763.47	5,821.77	48,720.47
8/15/2018	18,157.01	14,359.92	(280.46)	32,236.47	5,763.47	7,322.71	49,342.75
9/15/2018	27,190.23	21,504.06	(420.00)	48,274.29	5,763.47	11,319.09	80,877.03
10/15/2018	-	-	-	-	5,763.47	13,722.09	130,790.93
11/15/2018	17,803.55	14,080.38	(275.01)	31,608.92	5,763.47	16,000.22	135,880.56
12/21/2018	-	-	-	-	5,763.47	16,150.01	183,701.35
1/24/2019	85,423.85	67,532.82	(452.03)	153,408.70	5,763.47	37,977.11	258,317.57
2/21/2019	65,952.73	52,160.25	(1,018.75)	117,094.23	5,763.47	38,688.65	317,542.46
3/21/2019	68,670.32	54,309.62	(1,060.74)	121,919.20	5,763.47	37,624.44	295,907.79
4/15/2019	80,788.06	63,893.32	(1,247.93)	143,433.45	5,763.47	33,803.25	246,577.31
5/15/2019	39,083.17	30,909.84	(603.70)	69,389.31	5,763.47	36,362.37	313,931.45
6/15/2019	66,441.34	51,740.62	(1,019.53)	117,162.43	5,763.47	15,719.76	86,838.09
TOTAL FY19	473,500.25	373,646.41	(5,535.72)	841,610.94	69,161.64	270,511.47	2,117,589.40
7/15/2019	-	-	-	-	5,763.47	5,858.88	73,181.77
TOTAL FY19	-	-	-	-	5,763.47	5,858.88	73,181.77
TOTAL FY16, FY17, FY18 & FY19	2,664,074.69	2,090,209.59	(39,499.76)	4,714,784.52	223,183.62	432,899.89	6,161,337.87

Village Baseline

Month GRT is Generated	Month GRT is Reported to State	h GRT is distributed fr State to Entiti	Total	State	Village
December	January	February	371,622.37	201,645.53	169,976.84
January	February	March	328,741.64	178,378.07	150,363.57
February	March	April	310,404.18	168,428.01	141,976.17
March	April	May	429,910.95	233,273.42	196,637.53
April	May	June	64,234.89	34,854.41	29,380.48
May	June	July	99,353.53	50,654.43	42,699.09
June	July	August	40,142.02	21,781.41	18,360.61
July	August	September	89,560.14	48,596.11	40,964.03
August	September	October	134,697.23	73,087.89	61,609.34
September	October	November	108,590.92	58,922.38	49,668.54
October	November	December	204,035.98	110,711.70	93,324.28
November	December	January	174,517.70	94,694.82	79,822.88
Total	Total	Total	2,349,811.54	1,275,028.17	1,074,783.36

78,945.24

Monthly Public Safety Report
Jul-19

Law Enforcement

	Hutter	Vigil	Trujillo	Totals
MVC's			1	1
Battery or Assault				
Embezzlement				
Residential Alarm			2	2
Business Alarm			1	1
Property Damage				
Larceny				
Vehicle Theft				
Theft	1			1
Suspicious Persons/Vehicles	1	1		2
Arrests				
Citizen Assists/Contacts	57	30		87
Traffic Enforcement Hours	40	10	5	55
Traffic Stops	14	3		17
Written Citations	1			1
Written Warnings	2			2
Verbal Warnings	15	6		21
Parking Citations	3		2	5
Assists to other Agencies		6	1	7
Tresspass Warnings		1		1
Foot Patrol Hours	18	15	5	38
B & E / Burglary				
Animal Calls	3			3
Welfare Check				
Found/Lost Property				
Disorderly				
Reckless Driver	1	1		2
Private Property Crash		1		1
911 Hang Up				
Domestic Calls				
Civil Stand-by				
Vehicle Alarm		1		1
Alcohol Offense - Adult				
Traffic Hazard		4		4
Trespassing	1			1
Narcotics Adult	1			1

Fire/EMS

Fire Calls	2			2
EMS Calls				
Fire Alarm	1			1

SAR

VILLAGE OF TAOS SKI VALLEY

Village Council

Agenda Item

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2020-404**, the Village of Taos Ski Valley 2021-2025 Infrastructure & Capital Improvements Plan (ICIP).

DATE: August 13, 2019

PRESENTED BY: Patrick Nicholson

STATUS OF AGENDA ITEM: New business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The 2021-2025 Village ICIP is prepared annually for submission to the NM Department of Finance & Administration. It establishes Village policy and project funding priorities for the period 2012-25. Additional work remains to obtain and secure specific project funding and to designate a Village project manager. The plan was developed by Sr. staff and presented, discussed, and approved by the Village P&Z Commission at their July 1, 2019 regular meeting. The current draft incorporates P&Z recommendations.

RECOMMENDATION: Staff recommends the Village Council approve **Resolution No. 2020-404** approving the Village of Taos Ski Valley 2021-2025 Infrastructure & Capital Improvements Plan.



RESOLUTION No. 2020-404

**ADOPTING THE 2021-2025
INFRASTRUCTURE & CAPITAL IMPROVEMENTS PLAN**

WHEREAS, the Village of Taos Ski Valley recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL, that:

1. The Village Council has adopted the attached FY 2021-2025 Infrastructure & Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the Village of TSV and New Mexico's infrastructure.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2019.

THE VILLAGE OF TAOS SKI VALLEY

Mayor

Attest:

Village Clerk

Vote: For _____ Against _____

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Discussion of Draft Records Retention Schedule

DATE: August 13 2019

PRESENTED BY: Ann Marie Wooldridge, Village Clerk

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village Council adopted Resolution No. 1999-29 establishing a Records Management Program for the Village of Taos ski Valley on January 9, 1999 which stated that the Village would follow the State of New Mexico Records Management Division's records retention schedule. Several years ago the State of New Mexico changed its schedule, and most municipal clerks were not in favor of the new schedule. The NM State Records and Archives has only advisory authority over municipalities and does not have staffing to assist municipalities. The NM Municipal Clerks & Finance Officers Association formed a committee to develop a schedule that was more in line with the needs of municipalities, and which contained more description to assist staff in managing their records.

Attached is an overview of the records retention suggested guidelines. The Village of Taos Ski Valley could make changes to this schedule if desired. If acceptable, a Resolution to adopt a records retention schedule would be brought to the next Council meeting for adoption.

Staff has begun marking boxes of files that could be destroyed according to this draft retention schedule. Once a schedule is approved, Staff will bring a list of items to be destroyed for Council approval, after which a destruction could be done. Legal destruction methods in New Mexico include: witnessed burial (at a landfill), shredding, or destruction by a certified/bonded recycler. Staff would investigate the simplest and most cost-effective method.

The goal for implementing this program is to become more organized and efficient, to be able to easily find and retrieve records.

RECOMMENDATION: This item is for review and discussion only at this time. Staff will meet to confer on recommendations for changes to this schedule, if any.

New Mexico Records Retention Schedule - 10-18-2018

New code	DESCRIPTION	Department	RETENTION
18.01.001	Non-record Materials	General	None
18.01.002	Administrative Files (Manager/Department Head)	General	5 years
18.01.003	Administrative Policies	General	Until superseded by new code
18.01.004	Administrative Reference Files (Non-executive levels)	General	until no longer needed for reference
18.01.005	Americans with Disabilities (ADA) Accomodations	General	3 years after file close
18.01.006	Americans with Disabilities (ADA) Compliance Files	General	Until superseded or 1 year after affected grievances have been resolved closed
18.01.007	Appraisals - Valuations	General	5 years after file close
18.01.008	Calendars and Schedules	General	Until no longer needed for reference.
18.01.009	Code of Conduct	General	Until superceded by new code then review for historical value
18.01.010	Committee Files, Ad Hoc	General	Until no longer needed for reference.
18.01.011	Complaint Files	General	1 year after close of file
18.01.012	Construction Project Files	General	Permanent
18.01.013	Correspondence Files (Elected/Executive Level)	General	2 years after close of fiscal year in which created then review for historical value
18.01.014	Correspondence Files (Staff Level)	General	1 year after close of fiscal year in which created
18.01.015	Denied, Rejected or Withdrawn Records	General	2 years after file close
18.01.016	Equipment and Supplies	General	3 years after disposition of equipment
18.01.017	Facility Use Agreements	General	4 years after termination of agreement
18.01.018	Feasibility Studies	General	5 years after completion or cancellation of study.
18.01.019	Incident Files	General	3 years after file close
18.01.020	Indexes and Finding Aids	General	Until superseded or until related records are destroyed.
18.01.021	Insurance Claims	General	3 years after case closed or until settlement agreement terms are met
18.01.022	Insurance Policies	General	10 years after expiration of policy provided no claims/suits pending
18.01.023	Inventories	General	3 years after audit report
18.01.024	Joint Powers Agreements	General	10 years after termination of agreement
18.01.025	Leases	General	3 years after close of file
18.01.026	Lists and Directories	General	Until superseded
18.01.027	Logs - Fiscal	General	3 years after audit released

New code	DESCRIPTION	Department	RETENTION
18.01.028	Logs - General	General	Until no longer needed, then review for historical value
18.01.029	Maintenance and Repair	General	3 years after date of last entry
18.01.030	Maps, Drawings and Plans	General	Permanent
18.01.031	Material Safety Data Sheets (MSDS)	General	30 years after discontinuance of substance per 29 CFR 1910.1020(d) (1) (ii)(B)
18.01.032	Photographs	General	Until no longer needed for reference then review for historical value
18.01.033	Policies and Procedures	General	Until superseded by new manual of procedure
18.01.034	Press and News Releases	General	Until no longer needed for reference, then review for historical value
18.01.035	Primary Mission Records	General	Permanent
18.01.036	Project Control File, Non-construction	General	1 year after close of fiscal year in which project completed or canceled
18.01.037	Property Assessments	General	3 years after close of fiscal year in which final action taken
18.01.038	Property Files	General	Permanent. After property is sold, disposed of, or relinquished, review for historical value.
18.01.039	Public Records (IPRA) Files	General	1 year after file close
18.01.040	Publicity and Promotion	General	Until no longer needed for reference, then review for historical value.
18.01.041	Reference Files	General	Until no longer needed for reference Finance files: until audit report released
18.01.042	Reports - General	General	2 years after date file closed
18.01.043	Reports - Injuries	General	2 years after date of accident report
18.01.044	Security and Access	General	3 years after date file closed
18.01.045	Speeches - Elected Officials	General	Until no longer needed for reference, then review for historical value.
18.01.046	Transportation and Trip Permits	General	3 years after date file closed
18.01.047	Video Recordings	General	Until informational value ends, then transfer to archives for review
18.01.048	Work Order Files	General	1 year from date file closed
18.02.001	Legal Case Files	Legal	10 years after case closed <i>Confidential: 14-2-1 NMSA 1978, 32A-1-3.B NMSA 1978, 32A-2-32 NMSA 1978, 32A-3B-22 NMSA 1978, 32A-4-33 NMSA 1978, 32A-5-8 NMSA 1978, and 32A-6-15 NMSA 1978</i>
18.02.002	Legal Case Files - Juvenile	Legal	10 years after case closed or until any minor involved attains age 21, whichever is longer <i>Confidential: 14-2-1 NMSA 1978, 32A-1-3.B NMSA 1978, 32A-2-32 NMSA 1978, 32A-3B-22 NMSA 1978, 32A-4-33 NMSA 1978, 32A-5-8 NMSA 1978, and 32A-6-15 NMSA 1978</i>

New code	DESCRIPTION	Department	RETENTION
18.02.003	Legal Opinions	Legal	Permanent
18.03.001	Accounts Payable	Finance	3 years after audit report
18.03.002	Accounts Receivable	Finance	3 year after audit report
18.03.003	Audit Reports	Finance	Permanent
18.03.004	Budget - Operating	Finance	3 years after audit report
18.03.005	Collection	Finance	3 years after audit report
18.03.006	Construction Grant Records	Finance	10 years after completion of project
18.03.007	Contract and Agreements	Finance	1 year after termination of contract, provided audit report released
18.03.008	Contract Tax File (Form 1099)	Finance	4 years after termination of contract or agreement
18.03.009	Donations	Finance	3 years after audit report
18.03.010	Employer's Quarterly Federal Tax Return File (Form 941)	Finance	10 years after calendar year created
18.03.011	Fixed Assets	Finance	3 years after audit report
18.03.012	Garmishments	Finance	3 years after termination of employee
18.03.013	General Finance Records	Finance	3 years after audit report
18.03.014	Grant Administration Files	Finance	6 years after termination of grant
18.03.015	HUD Reporting File	Finance	3 years after close of fiscal year in which created
18.03.016	Internal Audit File	Finance	5 years after close of fiscal year audited
18.03.017	Non-Tax Transaction Certificates	Finance	1 year after last transaction or until audit released NOTE: new certificates are issued by Taxation and Revenue every 10 years, 7-9-43D, NMSA 1978
18.03.018	Payroll Files	Finance	3 years after audit report
18.03.019	Payroll Register, Year End Report	Finance	55-years after date created
18.03.020	Petty Cash Fund Files	Finance	Until Audit Report released
18.03.021	Purchasing	Finance	3 years after audit report
18.03.022	Reports - Accounting;	Finance	3 years after audit report
18.03.023	Signature Authorizations	Finance	1 year after close of fiscal year in which no longer authorized
18.03.024	Surplus and Disposal	Finance	3 years after audit report
18.03.025	Vendor Maintenance Files	Finance	3 years after file close
18.03.026	W-2 Reports	Finance	5 years after close of calendar year for which created

New code	DESCRIPTION	Department	RETENTION
18.04.001	Background Investigation - Hired	Human Resources	3 years after employee terminated or retired <i>Confidential: 14-2-1D, NMSA 1978</i>
18.04.002	Background Investigations - Not Hired	Human Resources	3 years after investigation <i>Confidential: 14-2-1D, NMSA 1978</i>
18.04.003	Classification And Compensation Plan	Human Resources	3 years after superseded
18.04.004	Classification Study Files	Human Resources	10 years after study is superseded
18.04.005	Drug and Alcohol Abuse Program Files	Human Resources	3 years after close of fiscal year in which created
18.04.006	Drug and Alcohol Testing	Human Resources	1 year from date of determination <i>Confidential: 14-2-1.A, NMSA 1978</i>
18.04.007	Employee Eligibility Verification (FORM I-9) Files	Human Resources	3 years from date of hire or 1 year from date of separation of employment, whichever is later (8 CFR 274A.2) <i>Confidential: Portions of this record may be confidential pursuant, but not limited to, 5 USC, Section 552a (i.e., social security number).</i>
18.04.008	Employee Medical Records	Human Resources	3 years after employee terminated <i>Confidential: 14-2-1.A, NMSA 1978</i>
18.04.009	Employee Medical Records - Hazardous Materials	Human Resources	30 years after separation from employment
18.04.010	Equal Employment Opportunity (EEO) Statistics - Annual Printout	Human Resources	Permanent
18.04.011	Equal Employment Opportunity (EEO) and Affirmative Action - Compliance Files	Human Resources	5 years after file closed
18.04.012	Equal Employment Opportunity (EEO) and Affirmative Action - Other Records	Human Resources	2 years after date created <i>Confidential: 10-15-1, NMSA 1978.</i>
18.04.013	Equal Employment Opportunity (EEO) and Affirmative Action - Plans	Human Resources	3 years after issued or until no longer needed for reference
18.04.014	Equal Employment Opportunity (EEO) and Affirmative Action - Regulations and Policies	Human Resources	Until obsolete or superseded, then review for historical value
18.04.015	Grievance and Complaint Files, Employee	Human Resources	3 year after file closed
18.04.016	Group Insurance Employee Files	Human Resources	3 years after employee terminated or retired, or 3 years after termination of effective period. <i>Confidential: 14-6-1, NMSA 1978</i>
18.04.017	Hiring and Recruitment	Human Resources	3 years after file close
18.04.018	Human Resources Memoranda	Human Resources	Permanent
18.04.019	Job Description	Human Resources	Once new description is issued
18.04.019	Labor Relations	Human Resources	3 year after file closed
18.04.020	Municipal Organizational Charts	Human Resources	Until superseded and until no longer needed for reference, then transfer to archives
18.04.021	Personnel Action/ Status Change Request	Human Resources	3 years after file close
18.04.022	Personnel Files	Human Resources	55 years after employee terminated or retired
18.04.023	Retirement Records - PERA	Human Resources	3 years after employee terminated or rehired
18.04.024	Retirement Records -Non-PERA	Human Resources	70 years after employee's date of birth or 6 years after deceased
18.04.025	Surety Bond - Claims	Human Resources	3 years after case closed

New code	DESCRIPTION	Department	RETENTION
18.04.026	Surety Bond - Policy	Human Resources	10 years after expiration of policy, provided no claims or suits pending.
18.04.027	Training Material	Human Resources	3 years after course conducted
18.04.028	Unemployment Compensation Claims - Quarterly Printout	Human Resources	3 years after audit released
18.04.029	Volunteers	Human Resources	1 year after audit released
18.04.030	Worker's Compensation Claims	Human Resources	3 years after end of calendar year in which file closed <i>NOTE: Claim files containing health information are confidential. (14-6-1, NMSA 1978)</i>
18.05.001	Data Backup	Information Technology	Until replaced by more current backup or until archives are no longer needed for reference.
18.05.002	Network Security Audit Files	Information Technology	5 years from date of final report <i>Confidential: Portions of this record may contain confidential information pursuant, but not limited to 44 U.S.C. 3544(a)(1)(A).</i>
18.05.003	Systems and Network	Information Technology	1 year after discontinuance of system, provided all magnetic data files are authorized for disposal or transferred to new or alternate system
18.05.004	Web Management	Information Technology	1 year after discontinuance of the system.
18.05.005	Web Management - Content	Information Technology	1 year after site is updated or changed
18.05.006	Web Management - Transactional Web Sites	Information Technology	3 years after site is updated or changed.
18.06.001	Assessments/Taxes	Clerk	3 years after close of fiscal year in which assessment is paid
18.06.002	Business License and Business Registration	Clerk	3 years after close of fiscal year in which license issued
18.06.003	Claim of Lien	Clerk	6 years after lien release
18.06.004	Election Administration - Ballots	Clerk	45 days after canvass or resolution of contest or recount (1-12-69B, NMSA 1978)
18.06.005	Election Administration - Canvass	Clerk	Permanent
18.06.006	Election Administration - Other	Clerk	2 years after the election. NOTE: State law retention when there is no contest, recount or judicial inquiry is only 45 days after canvass. (1-12-69B, NMSA 1978)
18.06.007	Election Administration - Special Election	Clerk	Permanent
18.06.008	Election Campaign Contribution Reports	Clerk	2 years after election date or until termination of office, whichever is longer
18.06.009	Election District Files	Clerk	2 years after superseded by new redistricting
18.06.010	Franchise Files	Clerk	6 years after termination of franchise
18.06.011	Industrial Revenue Bonds	Clerk	6 years after termination of agreements beyond the bond life
18.06.012	Liquor Licenses	Clerk	3 years after close of fiscal year in which license issued

New code	DESCRIPTION	Department	RETENTION
18.06.013	Meetings - Agendas	Clerk	After next meeting date but no longer than 2 years after meeting date
18.06.014	Meetings - Minutes	Clerk	Permanent
18.06.015	Meetings - Minutes of Other Bodies	Clerk	5 years
18.06.016	Meetings - Recordings	Clerk	After minutes have been transcribed and accepted at the next meeting but no longer than 2 years after meeting date
18.06.017	Municipal Bond Certificates of Destruction	Clerk	6 years after date created (6-10-62, NMSA 1978)
18.06.018	Municipal Bond Schedule and Bond Register	Clerk	2 years after final payment (6-10-62, NMSA 1978)
18.06.019	Municipal Bonds, Notes, Interest Coupons, and Certificates of Indebtedness	Clerk	10 years after date of maturity (37-1-25, NMSA 1978)
18.06.020	Oath of Office	Clerk	Permanent
18.06.021	Ordinance Code	Clerk	Until superseded by new compilation then review for historical value
18.06.022	Ordinances	Clerk	Permanent
18.06.023	Permits, Short Term	Clerk	3 years after close of fiscal year in which permit issued
18.06.024	Petitions	Clerk	1 year after close of fiscal year in which received
18.06.025	Records Retention and Disposition Schedule	Clerk	Until superseded by new schedule
18.06.026	Resolutions	Clerk	Permanent
18.07.001	Annexations	Community Development	Permanent
18.07.002	Annexations - Other Records	Community Development	1 year after property annexed
18.07.003	Appeals, Planning and Zoning Board	Community Development	Permanent
18.07.004	Building Code Violation	Community Development	10 years after date of final resolution
18.07.005	Building Files	Community Development	Permanent
18.07.006	Building Inspection Files	Community Development	10 years after date of certificate of occupancy or final resolution
18.07.007	Building, Mechanical, Plumbing And Electrical Inspections	Community Development	1 year after final inspection
18.07.008	Building Permit Application	Community Development	2 years from inspection date
18.07.009	Building Permit Construction Plans - Commercial	Community Development	Permanent
18.07.010	Building Permit Construction Plans - Residential	Community Development	1 years from date of certificate of occupancy
18.07.011	Certificate of Occupancy	Community Development	10 years from date of issuance
18.07.012	Code Enforcement Violations Case Files	Community Development	3 years from date the case is closed
18.07.013	Conditional Use Permits	Community Development	Permanent.

New code	DESCRIPTION	Department	RETENTION
18.07.014	Fence/Shed Permits	Community Development	1 year from date of completion
18.07.015	Flood Plain Management Records	Community Development	Permanent
18.07.016	Geographic Information System (GIS) Records	Community Development	Until no longer needed for reference
18.07.017	Home Occupation Permits	Community Development	3 years after business ceases to exist
18.07.018	Metropolitan Redevelopment - Studies and Plans	Community Development	Permanent
18.07.019	Metropolitan Redevelopment - Other Records	Community Development	5 years after completion or cancellation then review for historical value
18.07.020	Non Conforming Certificates	Community Development	Permanent
18.07.021	Plans	Community Development	Until no longer needed for reference or implementation then review for historical value
18.07.023	Project Files And Studies	Community Development	5 years after completion or cancellation then review for historical value
18.07.022	Sign Permits - Exceptions	Community Development	1 year after business ceases or when new company/subdivision changes sign completely
18.07.024	Sign Permits - Commercial	Community Development	Permanent
18.07.025	Sign Permits - Temporary	Community Development	1 year after event or election occurs
18.07.026	Special Event Permits	Community Development	2-years after event occurs
18.07.027	Special Event Registration Records	Community Development	1 year after expiration
18.07.028	Street Excavation Permit	Community Development	4 years after close of fiscal year in which permit issued
18.07.029	Subdivision Plats	Community Development	Permanent
18.07.030	Subdivisions	Community Development	10 years after file close
18.07.031	Subdivisions - Property Owner Notification	Community Development	5 years after file close
18.07.032	Variance	Community Development	Permanent
18.07.033	Zone Map Amendments	Community Development	Permanent
18.07.034	Zoning Case Files	Community Development	3 years after close of fiscal year in which case closed
18.07.035	Zoning Interpretations	Community Development	Permanent
18.07.036	Zoning Permit Files	Community Development	3 years after date of final inspection
18.07.037	Zoning Violation Files	Community Development	3 years after date of final resolution
18.08.001	Emergency Dispatch Records	Communications	3 years after date of call
18.08.002	House Check Records	Communications	2 years after date of call
18.08.003	Law Enforcement Telecommunications System	Communications	1 year
18.08.004	Master Street Addressing Guide (MSAG)	Communications	Until superseded or until no longer needed for reference

New code	DESCRIPTION	Department	RETENTION
18.09.001	Alarm Report	Fire & EMS	Permanent
18.09.002	Building Emergency Evacuation File	Fire & EMS	Until superseded by new plan/information
18.09.003	Building Inspection Files (Fire and Rescue)	Fire & EMS	3 years after inspection date (UFC 103.3.4)
18.09.004	Building Layout Files	Fire & EMS	Until superseded by new business or public use of building or building razed
18.09.005	Disaster Recovery File	Fire & EMS	Until superseded by new plan or information
18.09.006	Emergency Equipment Checklist	Fire & EMS	1 year after close of calendar year in which created
18.09.007	Emergency Equipment Checklist - SCBA	Fire & EMS	1 year after disposal of equipment
18.09.008	Emergency Management Basic Plan	Fire & EMS	Permanent <i>Note: Tactical information is confidential per 14-2-1A(7), NMSA 1978</i>
18.09.009	Emergency Medical Services Files (EMS)	Fire & EMS	10 years after date created
18.09.010	Emergency Medical Services (EMS) Files - Billing	Fire & EMS	3 years after close of fiscal year in which final payment received or 3-years after close of fiscal year in which file closed
18.09.011	Fire Drills	Fire & EMS	6 months after close of calendar year in which created
18.09.012	Fire Hydrant Maintenance	Fire & EMS	Permanent
18.09.013	Fire Investigation Case Files	Fire & EMS	5 years after date investigation closed
18.09.014	Hazardous Waste Inspections And Violations Records	Fire & EMS	Permanent
18.09.015	Inspections	Fire & EMS	Permanent
18.09.016	Prefire Plans	Fire & EMS	Permanent
18.09.017	Volunteer First Responder Files	Fire & EMS	5 years after termination of last service
18.10.001	Animal Control Files	Police	1 year after file closed
18.10.002	Arrest Reports - Adult	Police	5 years after date of incident or until investigation closed, whichever is longer
18.10.003	Arrest Reports - Juvenile	Police	5 years after date of incident or at age 19, whichever is less, providing investigation closed. <i>Confidential: 32A-2-32, NMSA 1978</i>
18.10.004	Arrest Warrants	Police	5 years after prosecution completed
18.10.005	Citations	Police	3 years after date citation issued (30-1-8H, NMSA 1978)
18.10.006	Complaints And Grievances	Police	3 years
18.10.007	Confidential Source (Informant) Files	Police	3 years after case closed. Until no longer needed for reference <i>Confidential: 14-2-1A, NMSA 1978</i>
18.10.008	Crime Prevention Files	Police	5 years after event date

New code	DESCRIPTION	Department	RETENTION
18.10.009	Criminal History Records (Rap Sheet) - Adult	Police	Permanent
18.10.010	Criminal History Records (Rap Sheet)- Juvenile	Police	2 years after date of incident or at age 19, whichever is longer <i>Confidential: 32A-2-32, NMSA 1978</i>
18.10.011	Criminal Investigation Case Files - Adult	Police	5 years after investigation closes <i>Confidential: 32A-2-32, NMSA 1978</i>
18.10.012	Criminal Investigation Case Files - Juvenile	Police	5 years after investigation closed or until juvenile reaches age 19 whichever is less <i>Confidential: 32A-2-32, NMSA 1978</i>
18.10.013	Emergency Action Books	Police	Until no longer needed for reference <i>Note: Tactical information is confidential per 14-2-1A(7), NMSA 1978</i>
18.10.014	Emergency Management Reports and Records	Police	5 years after close of federal fiscal year in which created
18.10.015	Extraditions	Police	3 years after close of fiscal year in which created
18.10.016	Gang Activity File	Police	Until informational value ends <i>Confidential: 32A-2-32 NMSA 1978</i>
18.10.017	Incident Reports (Offence/Incident Reports) - Adult	Police	5 years after date of incident or until investigation closed, whichever is longer
18.10.018	Incident Reports (Offence/Incident Reports) - Juvenile	Police	5 years after date of incident or until juvenile reaches age 19, whichever is less, provided investigation closed <i>Confidential: 32A-2-32, NMSA 1978</i>
18.10.019	Internal Affairs Case File	Police	3 years after termination of officer <i>Confidential: 14-2-1A NMSA 1978 unless appealed through an administrative open meeting process</i>
18.10.020	Internal Affairs Case File - Dismissed	Police	3 years after complaint dismissed or cleared <i>Confidential: 14-2-1A, NMSA 1978 unless appealed through an administrative open meeting process</i>
18.10.021	NCIC Records	Police	Until cleared, canceled or purged due to expiration (in accordance with the NCIC operating rules)
18.10.022	Pawn Shop Tickets	Police	5 years after date created
18.10.023	Pawnbroker Files	Police	1 month after entered into computer system
18.10.024	Property and Evidence	Police	1 year after date of disposition of all property and evidence for each case
18.10.025	Radio Frequency/Telephone Audio Recordings (911 Recorded Calls)	Police	3 year after date of call
18.10.026	Restraining Orders	Police	Until expires
18.10.027	Seizure or Forfeiture Files	Police	6 years after close of fiscal year in which property transferred to municipality
18.10.028	Uniform Accident Report	Police	5 years after date of accident (30-1-8D NMSA 1978)
18.10.029	Uniform Accident Report - Fatal	Police	25 years after date of accident <i>Confidential: 66-7-213, 66-7-215 and 14-6-1, NMSA 1978</i>
18.10.030	Video Recording - Case File	Police	1 year after date of incident or 60 days after date of court disposition, whichever is less
18.10.031	Video Recording - Other	Police	90 days after date created
18.11.001	Controlled Substance & Drug Issuance Files	Detention	3 years after fiscal year close (30-31-16D, NMSA 1978)
18.11.002	Facility Incident Files - Adult	Detention	2 years after fiscal year close

New code	DESCRIPTION	Department	RETENTION
18.11.003	Facility Incident Files - Juvenile	Detention	5 years after date of incident or until investigation closed, whichever is longer
18.11.004	Facility Medical Files	Detention	5 years after date of incident or until juvenile reaches age 19, whichever is less, provided investigation closed. <i>Confidential: 32A-2-32, NMSA 1978</i>
18.11.005	Federal Retainer Requests	Detention	10 years after date of treatment <i>Confidential: 14-6-1 NMSA 1978</i>
18.11.006	Inmate (Prisoner) Case Files	Detention	3 years after date custody of resident is transferred to federal law enforcement entity
18.12.001	Bond Book/Cash Bond Record	Municipal Court	3 years after close of fiscal year in which created
18.12.002	Check Register	Municipal Court	3 years after close of fiscal year in which created
18.12.003	Court Docket	Municipal Court	3 years after case closed
18.12.004	Court Docket Book	Municipal Court	3 years from date of last entry
18.12.005	Criminal Case File, DWI	Municipal Court	Permanent
18.12.006	Criminal Case File, Non-DWI	Municipal Court	3 years after case closed
18.12.007	Master Computer Record	Municipal Court	10 years after case closed
18.13.001	Discharge of Effluent Permits	Public Works	10 years after destruction of facility
18.13.002	Flow Charts, Wastewater	Public Works	10 years
18.13.003	Infrastructure Project Files (Infrastructure Development Plans)	Public Works	Permanent
18.13.004	Line Locations	Public Works	3 years after close of fiscal year in which work order issued
18.13.005	Meter Readings	Public Works	3 years after close of fiscal year in which created
18.13.006	Sludge Disposal Files	Public Works	5 years after date created (40 CFR 122.41)
18.13.007	Street Maintenance	Public Works	5 years after date created
18.13.008	Traffic Signals Intersection Files	Public Works	5 years after date created
18.13.009	Utility Customer Service Files	Public Works	3 years after close of fiscal year in which canceled or deposit refunded to customer
18.13.010	Utility Facility Files	Public Works	Permanent
18.13.011	Utility Maintenance Files - Annual Summary	Public Works	10 years after close of fiscal year in which created
18.13.012	Utility Maintenance Files - Other Records	Public Works	5 years after close of fiscal year in which created (40 CFR 503.17, Clean Water Act Sections 308-402 (33 U.S.C. 1318-1342)
18.13.013	Utility Service Files	Public Works	3 years after audit release
18.13.014	Utility Turnoff Notice and Delinquent Report	Public Works	3 years after audit report release
18.13.015	Vehicle Files	Public Works	3 years after disposition of vehicle

New code	DESCRIPTION	Department	RETENTION
18.13.016	Vehicle (Fleet) Maintenance Files	Public Works	3 years after close of fiscal year in which created
18.14.001	Concession Records	Parls & Recreation	3 years after close of fiscal year in which created
18.14.002	Group Organization Records	Parls & Recreation	3 years after date created
18.14.003	Herbicide and Pesticide File	Parls & Recreation	2 years after date created
18.14.004	Park And Facility Usage Files	Parls & Recreation	Until change occurs in equipment
18.14.005	Recreation Program Files	Parls & Recreation	1 year after close of fiscal year in which created
18.14.006	Recreational Leagues	Parls & Recreation	1 year after league dissolution
18.15.001	Censorship or Complaint Files	Library and Museum Services	5 years after date of last entry
18.15.002	Collection Management - Library	Library and Museum Services	Until no longer needed for reference <i>Note: many items are confidential per 18-9-4, NMSA 1978</i>
18.15.003	Collection Management - Museum	Library and Museum Services	Permanent
18.15.004	Borrowing/Loaning Records	Library and Museum Services	5 years after date created <i>NOTE: Comply with applicable provisions of legal agreement regarding confidentiality of records concerning each gift.</i>
18.15.005	Gift Donors File	Library and Museum Services	Until obsolete <i>Confidential: 18-9-4, NMSA 1978</i>
18.15.006	Patron Management	Library and Museum Services	5 years after date materials used. <i>Confidential: 18-9-4, NMSA 1978</i>
18.15.007	Requests for Reproduction of Copyrighted Works	Library and Museum Services	3 years after the calendar year in which created per United States Copyright Office Circular 21, p. 19 <i>Confidential: 18-9-4, NMSA 1978</i>
18.15.008	Statistical Reports	Library and Museum Services	20 years
18.16.001	Cemetery Files	Cemetery	Permanent
18.17.001	Airport and Aviation Regulations	Transit and Airport	5 years after superceded or repealed
18.17.002	Airport Conditions and Inspections	Transit and Airport	6 months after date submitted to FAA
18.17.003	Airport Crash Rescue Operation Files	Transit and Airport	5 years after date of incident
18.17.004	Airport Safety Officers Files	Transit and Airport	5 years after date created
18.17.005	Screening Activities Report	Transit and Airport	6 months after date submitted to FAA
18.17.006	Transit Operations Files	Transit and Airport	3 years after fiscal year close
18.18.001	Animal Files	Zoo and Aquarium	until disposition of animal

New code	DESCRIPTION	Department	RETENTION
18.18.002	Animal Transaction Files	Zoo and Aquarium	3 years after fiscal year close
18.18.003	Breeding Loan Files	Zoo and Aquarium	1 year after termination of loan
18.19.001	Housing Authority Tenant Application Files	Housing Authority	3 years after fiscal year close
18.19.002	Housing Discrimination Complaint file	Housing Authority	3 years after file close
18.19.003	Tenant File (Housing Authority)	Housing Authority	6 years after termination of lease
18.20.001	Commercial Drivers Certification	MVD	3 years from date of issuance.
18.20.002	Driver's Licenses	MVD	3 years from date of issuance

E-mail Retention Guidelines

1. What are the retention requirements for E-Mail?

E-mail communications relating to municipal business are part of the Municipality's records and shall be retained depending upon the nature of the document, consistent with the retention requirements for that type of document. E-mail may include public records or transitory information. Only those e-mail classified as public records in the Public Records Act, or the Municipality's adopted records retention schedules, must be retained based on established retention periods published therein. The content of e-mail may vary considerably; therefore, each e-mail shall be evaluated to determine if it meets the definition of a public record.

2. Which E-mail constitute public records?

E-mail and attachments identified as public records shall be retained and stored for as long as required under the appropriate retention period provided in the Municipality's adopted records retention schedules. E-mail that are public records include but are not limited to:

- A. Policies and directives;
- B. Correspondence or memoranda that contain final directives, determinations, instructions or guidance regarding public business;
- C. Minutes of the Governing Body or Boards and Commissions, advisory groups, ad-hoc committees or work groups developing programs;
- D. Messages that authorize, establish or complete a business transaction; or
- E. Final reports or recommendations such as to the Governing Body or Boards and Commissions or produced by task forces or study groups.

3. Which E-mail are NOT public records?

Non-record and transitory e-mail do not set policy, provide directives, establish guidelines or procedures nor do they certify transactions; they may be destroyed at the discretion of the user. Non-record and transitory e-mail include but are not limited to:

- A. Duplicate copies of messages sent to multiple people;
- B. Personal messages and announcements not related to official City business;
- C. Preliminary drafts of letters, reports and memoranda;
- D. Messages considered brainstorming or preliminary thought processes in nature, reflecting the exchange of ideas preliminary to the development of a final decision or position of the City;
- E. Transmittal e-mail that do not add substantive information to the attachment(s) being transmitted;
- F. Copies of documents distributed for convenience or reference;
- G. Announcements of social events, such as retirement parties;
- H. Spam (unsolicited, commercial E-mail); and
- I. Messages to or from E-mail distributions lists (listserv) not directly related to City business.

4. Other Considerations

- A. E-mail should be filed in a manner that enhances accessibility and assists in records management and retention.
- B. The attachment an e-mail contains falls under records management, not the e-mail which transmits it unless the body of the email adds substantive information to the attachment.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Action to Remand the Thunderbird Road Improvements Project to the Planning & Zoning Commission for Review and Recommendation

DATE: August 13, 2019

PRESENTED BY: Administrator John Avila, Attorney Susan Baker

STATUS OF AGENDA ITEM: Old Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: This action is necessary due to further design revisions and changes to Thunderbird Road by the developer, Taos Ski Valley, Inc. (TSVI), subsequent to the Planning and Zoning Commission's previous consideration.

Thunderbird Road is a TIDD project to be designed and built by TSVI. Once completed, it is contemplated that the Road will be accepted by the Village and dedicated as a public right-of-way. According to the TIDD Master Development Agreement (MDA), Section 4(A),; the Village has the right to formally approve construction documents for any component of eligible infrastructure such as Thunderbird Road.

In order to expedite the construction and completion of Thunderbird Road improvements, the Village of Taos Ski Valley has repeatedly requested meetings with TSVI for the past several months to resolve outstanding issues regarding safety and regulatory design, drainage infrastructure, and the proposed acquisition of private property to accommodate drainage, utilities and sidewalks. Therefore, the MDA contemplates that any TIDD project will be formally approved by the Village Council (or authorized officers and departments, by direction of the Village Council) before being accepted as public infrastructure. Continuous examination and formal review is necessary because the Village will be assuming the risk and cost, at taxpayer expense, of maintaining this Public Infrastructure over time. In investigating the history, it appears that appropriate formal review and approval was not conducted with regard to Thunderbird Road.

In February 2018, the Village Planning Commission recommended that the Village Council begin the process of acquiring private property so that construction of Thunderbird Road could move forward. As you know, only the Village Council is authorized to acquire private property,

instruct staff and to expend taxpayer funds to do so. Our records indicate that the Village Council never considered or approved this acquisition as recommended by the Planning Commission. In addition, at the time the Planning Commission's recommendation was made, no authentic final plans for the Road were reviewed by the Commission, and the Commission may have assumed that the construction design was the same as presented during meetings over the previous two years, including meetings tied to the Conditional Use Permit approval for Parcel D. In late spring 2018, TSVI presented Village staff with a set of Thunderbird Road plans that were signed by the Public Works Director. Unfortunately, these plans deviate significantly from those presented earlier to the Planning Commission during the Parcel D CUP process and subsequent public meetings involving the Road. It is unlikely that the Planning Commission was presented these revised plans when it made its recommendation to Council in February 2018.

TSVI's revised plans contemplate acquisition of a larger amount of private property, as well the removal of structures and historic cultural entryway atmosphere and landscaping. This change means greater expenditure of taxpayer funds and probable litigation; including condemnation (the new plans include significant portions of a private front yard, so that the acquisition may be affected by "severance damages" that would substantially increase the Village's costs).

In order to resolve the discrepancy between the design and construction plans given to some Village staff and those presented to the Planning Commission, Village staff recommends that consideration of Thunderbird Road design be remanded back to the Planning Commission. If the Planning Commission's informed recommendation contemplates the acquisition of private property, only the Village Council has the authority to make a final decision regarding the Commission's recommendations. This matter would then be placed on an upcoming Council agenda.

RECOMMENDATION: Move to have the Village Planning Commission consider and approve the final design drawings for Thunderbird Road, with recommendations to the Village Council for final consideration and approval.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve the Renewal of Task Contracts and Addition of New Task Contracts with Alan Plummer Associates, Inc. (Formerly FEI)

DATE: August 13 2019

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: In 2014 the Village did an RFP and secured Brilliam/FEI Engineers to do on-call engineering projects. Recently FEI was purchased by Alan Plummer Associates, Inc. Plummer has been given several tasks to complete by the Village. On an annual basis the Village contracts for some general services and additionally contracts for specific items. Below are new and renewing task contracts for FY2020:

Renewing Task Orders:

Task #1	General Services	\$25,000
Task #7	On-Call Water Services	\$25,000

New Task Orders:

Task #22	North Gunsight Springs Design	\$35,000
Task #23	Kachina Booster Station Upgrade	\$14,200
Task #25	Phoenix Source Water NMED	\$16,500
TOTAL Tasks for FY2020		\$115,700

RECOMMENDATION: Staff recommends authorization and approval to renew these contracts with Alan Plummer Associates for a total of \$115,700.00.



VILLAGE OF TAOS SKI VALLEY PROFESSIONAL SERVICE CONTRACT

This contract is hereby made and entered into by and between the **Village of Taos Ski Valley**, a New Mexico Municipality (hereinafter "VILLAGE") and Alan Plummer Associates, Inc., general engineering services contractor, (hereinafter "CONSULTANT") effective on this 1st day of July 20 19.

WHEREAS, the VILLAGE has found it necessary and desirable to retain the services of CONSULTANT to provide the services as identified herein; and

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

THEREFORE, IT IS HEREBY MUTUALLY AGREED by and between the parties that:

1. Scope of Work:

- A. Consultant shall provide general or on-call services which may include program management tasks, conceptual, preliminary and final design, bidding and negotiation, and construction phases. Additional services can be added, but both parties will have to agree to the additional services requested.

Said services shall be in accordance with and meet professional engineering standards established nationally by the engineering profession.

- B. Services will be performed at, or within the Village of Taos Ski Valley limits.

- C. Performance Measures/Deliverables. CONSULTANT will provide the Village with the following specific deliverables and/or shall perform in accordance with the following specific performance measures: (this will be dependent on and agreed upon for each project or service provided).

2. Contact Person, Address & Phone.

- A. CONSULTANT'S contact person for this contract is: Patrick J. O'Brien, P.E

- B. The address and phone number is: Alan Plummer Associates, Inc.
1485 Florida Road #206C
Durango, CO 81301
Phone: 970-247-0724
Email: pobrien@apainv.com

3. Term. This contract shall terminate the 30th day of June 20 20 unless sooner terminated pursuant to the termination provision below; by completion of said services; or by mutual agreement of the parties.

Consultant should not begin work under this Contract before this Contract is signed by both parties and should not continue work after the Contract terminates unless the Contract has been amended in writing to extend the term. The VILLAGE is not required to pay CONSULTANT under this Contract for any work performed before the Contract entered into or after it has terminated.

4. Renewal. VILLAGE shall have the right, but is not obligated, to renew this contract subject to terms agreeable to both the VILLAGE and CONSULTANT. Pursuant to the New Mexico Procurement Code, NMSA 1978, Section 13-1-150, no professional services contract, including any renewals or extensions, may exceed a total period of four years (subject to exceptions stated in the statute).
5. Compensation.
 - A. This General Services task order will be established for one year; the General Service task shall not exceed \$ 25,000. This task order will be utilized and can be billed for miscellaneous projects or services.
 - B. NOT USED.
 - C. The total amount payable to the CONSULTANT under this Contract, for each task order initiated will include gross receipts tax and any expenses agreed to. Amounts or percentages on task orders are maximums and are not a promise that the VILLAGE will assign work valued at that amount to CONSULTANT under this Contract. CONSULTANT shall be paid only for work assigned by the VILLAGE and satisfactorily completed by the CONSULTANT.
 - D. Each Task Order will be calculated as such: Maximum Contract amount excluding gross receipts tax (GRT), plus the maximum payable GRT amount (GRT rate of 5.125 %), equals the total maximum contract amount including taxes at the above rate and any expenses (negotiated and agreed upon by both parties). NOTE: If GRT rate should increase during the term of this contract the total contract amount shall automatically increase to reflect the percentage of increase.
 - E. Payment is subject to availability of funds pursuant to the Appropriations Paragraph below.
 - F. CONSULTANT must submit a detailed [monthly or other interval] statement accounting for all services performed and expenses incurred. If the VILLAGE finds that the services or expenses are not acceptable, within thirty days after the date of receipt of the written statement from the Consultant requesting payment, it shall provide the CONSULTANT a letter of exception explaining the defect or objection and outlining steps the CONSULTANT may take to provide remedial action. Upon certification by the VILLAGE that the services have been received and accepted, payment shall be tendered to the CONSULTANT within thirty days after the VILLAGE'S acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. The VILLAGE shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.
 - G. No further amount(s) beyond those set forth above shall be available under this contract unless authorized by law, ordinance, regulation, or resolution and embodied in a written amendment to this contract executed prior to the additional work being performed.
6. Release. CONSULTANT agrees that, upon final payment of the amount due under this contract, CONSULTANT releases the VILLAGE and its officials, employees and agents from all liabilities, claims, and/or obligations whatsoever arising from, or under, this contract.
7. Deliverables. CONSULTANT shall deliver, to the VILLAGE, any "deliverables" included within Paragraph 1.C of this contract (or Attachment A) no later than the earlier of the submission of CONSULTANT's final bill or the termination of this Contract, except that if an earlier time is stated in Paragraph 1.C or Attachment A, then the deliverables will be submitted by that time.
8. Appropriations and authorization. This contract is contingent upon there being sufficient appropriations available for payment and sufficient legal authorization for its performance. The VILLAGE shall be the sole and final determiner of whether sufficient appropriations and authorization exist. If this contract encompasses more than one fiscal year, this contract is contingent upon continuing appropriations being available.

9. Annual Review. If this contract encompasses more than one fiscal year, this contract is subject to an annual review by the VILLAGE. If any deficiencies are noted during the review process, the CONSULTANT shall be given a specified time, as per the Notice to Cure provision below, in which to cure said deficiency(ies).
10. Termination.
- A. This contract may be terminated at will, by either party, with or without cause upon 30 days written notice to the other party. Such written notice shall be delivered or mailed (certified mail, return receipt) to the other party. The VILLAGE's sole liability upon such termination shall be to pay for acceptable work performed prior to the CONSULTANT's receipt of the notice of termination or the CONSULTANT's sending a notice of termination to the VILLAGE. If notified of termination, CONSULTANT shall immediately cease performing services and deliver, to VILLAGE, any work completed or in progress. If CONSULTANT terminates this contract, notice of termination shall include CONSULTANT's final billing statement. In no event shall termination nullify obligations of either party prior to the effective date of termination. Notwithstanding the foregoing, the VILLAGE may terminate this Contract immediately at any time it concludes that CONSULTANT is unable to perform under this Contract. **This Paragraph is not exclusive and does not waive the VILLAGE's other rights and remedies in the event that CONSULTANT defaults or breaches this Contract.**
- B. Termination Management. Immediately upon receipt by either the VILLAGE or the CONSULTANT of notice of termination of this Contract, the CONSULTANT shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Contract without written approval of the VILLAGE; 2) comply with all directives issued by the VILLAGE in the notice of termination as to the performance of work under this Contract; and 3) take such action as the VILLAGE shall direct for the protection, preservation, retention or transfer of all property titled to the VILLAGE and records generated under this Contract.
- C. The VILLAGE may suspend work under this Contract for any reason the VILLAGE in its sole discretion deems sufficient, including but not limited to budgetary reasons or a need for further studies, investigation or analysis before work continues. Notice of Suspension shall be made or confirmed in writing, which shall be hand-delivered or mailed certified mail, return receipt requested, to CONSULTANT. Immediately upon receipt of notice of contract suspension, CONSULTANT shall cease work pursuant to the Contract and await further instructions from the VILLAGE except that, with the VILLAGE's permission which shall not be unreasonably denied, the CONSULTANT may proceed with any work in progress that must be continued or completed in order to avoid damage, harm or risk to the VILLAGE's, the CONSULTANT's, any subcontractor of consultant's, or the public's personnel or property. In the event that the CONSULTANT, upon receiving a suspension of work notice, believes there is such reason for continuing work, it shall immediately so inform the VILLAGE and the parties shall in good faith attempt to agree on what additional work is reasonably required under the circumstances. Suspension of work shall not affect either party's obligations with respect to work done or obligations incurred before notice of contract suspension.
11. Conflict of Interest. CONSULTANT warrants that it presently has no interest or conflict of interest and shall not acquire any interest or conflict of interest which would conflict with the performance of services under this Contract. This warranty includes Consultant's representation that it has no conflict of interest and will not acquire any conflict of interest as set forth in the Procurement Code, other laws of the State of New Mexico, and the Village of Taos Ski Valley Purchasing Policy Part XXIII or any replacement provisions.
12. Work Product. All work and work product produced under this contract shall be and remain the exclusive property of the VILLAGE, unless otherwise agreed by the parties, and CONSULTANT shall not use, sell, disclose or otherwise make available to anyone (individual, corporation or

organization), other than the VILLAGE, any such work or work product or copies thereof. If applicable, the provision of Sec. 13-1-123(B), N.M.S.A. (1978 as amended) modify this provision with respect to certain documents produced by architects, engineers, landscape architects and surveyors. Further, CONSULTANT shall not apply for, in its name or otherwise, for any copyright, patent or other intellectual property right for work produced under this Contract and acknowledges that any such property right created or developed remains the exclusive right of the VILLAGE. Any unauthorized reuse of the Consultant's instruments of services (work product) will be at the Village's sole risk and without liability to the Consultant.

13. Status of Consultant. CONSULTANT acknowledges that it is an independent contractor and as such either the Consultant, its employees, agents or representatives shall be considered employees or agents of the VILLAGE, nor shall they be eligible to accrue leave, retirement benefits, insurance benefits, use of Village vehicles, or any other benefits provided to Village employees.
14. Non-Agency. CONSULTANT agrees not to purport to bind the VILLAGE to any obligation not assumed herein by the VILLAGE, unless the CONSULTANT has express written approval and then only within the limits of that express authority.
15. Confidentiality. Any information learned, given to, or developed by CONSULTANT in the performance of this contract that is of a confidential nature shall be kept confidential and shall not be made available or otherwise released to any individual or organization without the prior written approval of the VILLAGE.
16. Worker's Compensation. CONSULTANT acknowledges that neither it, its employees, agents nor representatives shall have any claim whatsoever to worker's compensation coverage under the VILLAGE's policy. The CONSULTANT agrees to comply with state laws and rules applicable to workers' compensation benefits for its employees. If the CONSULTANT fails to comply with the Workers' Compensations Act and applicable rules when required to do so, this agreement may be terminated by the VILLAGE.
17. Taxes. CONSULTANT acknowledges that it, and it alone, shall be liable for and shall pay to the State Department of Taxation and Revenue the applicable gross receipts taxes on all monies paid to it under this contract and that the VILLAGE shall have no liability for payment of such tax to the State. CONSULTANT also acknowledges that it, and it alone, shall be liable to the State and Federal government(s) and/or their agencies for income; self-employment taxes and other taxes required by law and that the VILLAGE shall have no liability for payment of such taxes or amounts.
18. Records-Audit. CONSULTANT shall keep, maintain, and make available to the VILLAGE all records, invoices, bills, etc. related to performance of this contract for a period of three (3) years after the date of final payment. If federal grant funds are used to pay under this contract, CONSULTANT shall retain all records for the period of time under which OMB Circular 102-A shall apply. Said records shall be available for inspection, audit, and/or copying by the VILLAGE or its authorized representative or agent, including federal and/or state auditors.
19. Indemnification. The Consultant shall indemnify and hold harmless the VILLAGE from costs, damages, and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement to the extent caused by the negligent act or failure to act of the Consultant, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Consultant resulting in injury or damage to persons or property during the time when the Consultant or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Consultant or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Consultant, the Consultant shall, as soon as practicable but no later than two (2) business days after it receives notice thereof, notify in writing the legal counsel of the VILLAGE and the Self Insurers Fund of the New Mexico Municipal League.

20. Assignment & Subcontracting. CONSULTANT shall not assign, transfer or subcontract any interest in this contract or attempt to assign, transfer, or subcontract any claims for money due under this contract without the prior written approval of the VILLAGE.
21. Non-Discrimination. CONSULTANT agrees that it, its employee(s) and/or agent(s) shall comply with all federal, state, and local laws regarding equal employment opportunities, fair labor standards, and other non-discrimination and equal opportunity compliance laws, regulations and practices.
22. Ethical Considerations. CONSULTANT shall abide by Consultant's Code of Professional Responsibilities and/or applicable Canons of Ethics as prescribed by its profession. Failure of any owner, partner, or major employee employed by CONSULTANT to remain in good standing shall immediately render this contract voidable at the sole discretion of the VILLAGE, and, if declared voidable, all obligations of the VILLAGE to perform hereunder shall be nullified.
23. Required Liability Insurance. CONSULTANT shall maintain liability insurance in an amount at least equal to the requirements set forth by the New Mexico Tort Claims Act, Sec. 41-4-19, N.M.S.A. 1978 (as amended) naming VILLAGE as an additional insured.
24. Default by Consultant. In the event that CONSULTANT defaults on any term or provision of this contract, the VILLAGE retains the sole right to determine whether to terminate the contract or issued to CONSULTANT a notice to cure as set forth in the following paragraph.
25. Efforts to Cure. If the VILLAGE elects to provide the CONSULTANT with notice to cure any deficiency or defect, the CONSULTANT may have the time specified in the written "Notice to Cure." Failure by the CONSULTANT to cure said deficiency or defect, within the authorized time, shall result in an immediate termination of this contract.
26. Severability. In the event that a court of competent jurisdiction finds that any term or provision of this contract is unlawful or unenforceable, all other terms and provisions shall remain intact and enforceable where not otherwise inconsistent with the Court's findings.
27. Consequential Damages. Notwithstanding any other provision of this Contract, and to the fullest extent permitted by law, neither the Village nor the Consultant, their respective officers, directors, partners, employees, contractors or subcontractors shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Contract. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Village and the Consultant shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.
28. Third Party Beneficiaries. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder. The Client and Consultant agree to require a similar provision in all contracts with contractors, subcontractors, subcontractors, vendors, and other entities involved in this Project to carry out the intent of this provision.
29. Standard of Care. In providing services under this Contract, the Consultant shall perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same

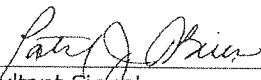
profession currently practicing under similar circumstances at the same time and in the same or similar locality.

30. Entire Agreement. This contract incorporates all of the agreements and understandings between the parties. No prior agreement(s) or understanding(s), verbal or otherwise, shall be valid or enforceable unless embodied in this contract.
31. Applicable Law. This contract shall be governed by the Laws of the State of New Mexico and the Ordinances, resolutions, rules and regulations of the VILLAGE. Any legal proceeding brought against the VILLAGE, arising out of this contract, shall be brought before the Eighth Judicial District Court, Taos County, State of New Mexico.
32. Illegal Acts. Pursuant to Sec. 13-1-191, N.M.S.A. 1978 (as amended), it shall be unlawful for any CONSULTANT to engage in bribery, offer gratuities with the intent to solicit business, or offer or accept kickbacks of any kind. All other similar act(s) of bribes, gratuities, and/or kickbacks are likewise hereby prohibited and violate criminal laws of New Mexico.
33. Authority to Sign. If Consultant is other than a natural person, the individual(s) signing this Agreement on behalf of Consultant represents and warrants that he or she has the power and authority to bind Consultant, and that no further action, resolution, or approval from Consultant is necessary to enter into a binding contract.

IN WITNESS HEREOF, the parties have executed this Agreement as of the date last written below.

CONSULTANT:
Alan Plummer Associates, Inc

VILLAGE OF TAOS SKI VALLEY



Consultant Signature

Village Signature

Patrick O'Brien

Printed Name

Christof Brownell

Printed Name

Principal

Title

Mayor

Title

03-321753-00-0

Contractor's GRT/CRS Number

Attested to by:

27-0070513

Contractor's Federal Tax ID No

Ann M. Wooldridge, Village Clerk

Administrative Approval:

John Avila, Village Administrator

Legal Form Approved by:

Accounting Approval:

Susan Baker, Village Attorney

Nancy Grabowski, Finance Director



VILLAGE OF TAOS SKI VALLEY PROFESSIONAL SERVICE CONTRACT

This contract is hereby made and entered into by and between the **Village of Taos Ski Valley**, a New Mexico Municipality (hereinafter "VILLAGE") and Alan Plummer Associates, Inc., general engineering services contractor, (hereinafter "CONSULTANT") effective on this 1st day of July 20 19.

WHEREAS, the VILLAGE has found it necessary and desirable to retain the services of CONSULTANT to provide the services as identified herein; and

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

THEREFORE, IT IS HEREBY MUTUALLY AGREED by and between the parties that:

1. Scope of Work:

- A. On-call professional engineering services related to the water system, services may include coordination and management tasks, conceptual to final design phase services, bid and negotiation phase services, and construction phase services. Additional services can be added but both parties will have to agree to the services requested.

Said services shall be in accordance with and meet professional engineering standards established nationally by the engineering profession.

- B. Services will be performed at, or within the Village of Taos Ski Valley limits.

- C. Performance Measures/Deliverables. CONSULTANT will provide the Village with the following specific deliverables and/or shall perform in accordance with the following specific performance measures: (this will be dependent on and agreed upon for each project or service provided).

2. Contact Person, Address & Phone.

- A. CONSULTANT'S contact person for this contract is: Patrick J. O'Brien, P.E

- B. The address and phone number is: Alan Plummer Associates, Inc.
1485 Florida Road #206C
Durango, CO 81301
Phone: 970-247-0724
Email: pobrien@apalenv.com

3. Term. This contract shall terminate the 30th day of June 20 20 unless sooner terminated pursuant to the termination provision below; by completion of said services; or by mutual agreement of the parties.

Consultant should not begin work under this Contract before this Contract is signed by both parties and should not continue work after the Contract terminates unless the Contract has been amended in writing to extend the term. The VILLAGE is not required to pay CONSULTANT under this Contract for any work performed before the Contract is entered into or after it has terminated.

4. Renewal. VILLAGE shall have the right, but is not obligated, to renew this contract subject to terms agreeable to both the VILLAGE and CONSULTANT. Pursuant to the New Mexico Procurement Code, NMSA 1978, Section 13-1-150, no professional services contract, including any renewals or extensions, may exceed a total period of four years (subject to exceptions stated in the statute).
5. Compensation.
 - A. This On-Call Water System Services task order will be established for one year; the On-Call Water System Service task shall not exceed \$ 25,000. This task order will be utilized and can be billed for miscellaneous projects or services.
 - B. NOT USED.
 - C. The total amount payable to the CONSULTANT under this Contract, for each task order initiated will include gross receipts tax and any expenses agreed to. Amounts or percentages on task orders are maximums and are not a promise that the VILLAGE will assign work valued at that amount to CONSULTANT under this Contract. CONSULTANT shall be paid only for work assigned by the VILLAGE and satisfactorily completed by the CONSULTANT.
 - D. Each Task Order will be calculated as such: Maximum Contract amount excluding gross receipts tax (GRT), plus the maximum payable GRT amount (GRT rate of 5.125 %), equals the total maximum contract amount including taxes at the above rate and any expenses (negotiated and agreed upon by both parties). NOTE: If GRT rate should increase during the term of this contract the total contract amount shall automatically increase to reflect the percentage of increase.
 - E. Payment is subject to availability of funds pursuant to the Appropriations Paragraph below.
 - F. CONSULTANT must submit a detailed [monthly or other interval] statement accounting for all services performed and expenses incurred. If the VILLAGE finds that the services or expenses are not acceptable, within thirty days after the date of receipt of the written statement from the Consultant requesting payment, it shall provide the CONSULTANT a letter of exception explaining the defect or objection and outlining steps the CONSULTANT may take to provide remedial action. Upon certification by the VILLAGE that the services have been received and accepted, payment shall be tendered to the CONSULTANT within thirty days after the VILLAGE'S acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. The VILLAGE shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.
 - G. No further amount(s) beyond those set forth above shall be available under this contract unless authorized by law, ordinance, regulation, or resolution and embodied in a written amendment to this contract executed prior to the additional work being performed.
6. Release. CONSULTANT agrees that, upon final payment of the amount due under this contract, CONSULTANT releases the VILLAGE and its officials, employees and agents from all liabilities, claims, and/or obligations whatsoever arising from, or under, this contract.
7. Deliverables. CONSULTANT shall deliver, to the VILLAGE, any "deliverables" included within Paragraph 1.C of this contract (or Attachment A) no later than the earlier of the submission of CONSULTANT's final bill or the termination of this Contract, except that if an earlier time is stated in Paragraph 1.C or Attachment A, then the deliverables will be submitted by that time.
8. Appropriations and authorization. This contract is contingent upon there being sufficient appropriations available for payment and sufficient legal authorization for its performance. The VILLAGE shall be the sole and final determiner of whether sufficient appropriations and authorization exist. If this contract encompasses more than one fiscal year, this contract is contingent upon continuing appropriations being available.