



**VILLAGE COUNCIL REGULAR MEETING AGENDA
MEETING TO BE HELD VIA ZOOM TELECONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, SEPTEMBER 28, 2021 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 AUGUST 24, 2021 VILLAGE COUNCIL REGULAR MEETING and the SEPTEMBER 9, 2021 VILLAGE COUNCIL SPECIAL MEETING**
- 5. PRESENTATION BY TSVI ON A PROPOSED VILLAGE FIRE STATION FACILITY ON FIREHOUSE ROAD**
- 6. CITIZEN'S FORUM** –for non-agenda items only. Limit to 5 minutes per person (please email awooldridge@vtsv.org to sign up)
- 7. COMMITTEE REPORTS**
 - A. Planning & Zoning Commission
 - B. Public Safety Committee
 - C. Firewise Community Board
 - D. Parks & Recreation Committee
 - E. Lodger's Tax Advisory Board
 - F. Capital Advisory Infrastructure Committee
- 8. REGIONAL REPORTS**
- 9. MAYOR'S REPORT**
- 10. STAFF REPORTS**
 - A. Administrator Avila
 - B. Finance Director Grabowski
 - C. Police Chief Trujillo
 - D. Fire Chief Molina
 - E. Building Official Bowden
 - F. Planning Director Nicholson
 - G. Public Works Director Martinez
 - H. Clerk Wooldridge
 - I. Attorney Baker
- 11. OLD BUSINESS**
 - A. PUBLIC HEARING:** Consideration to Approve Amended and Restated Resolution No. 2021-469 Adopting the 2021 Development Impact Fee Land Use Assumptions
 - B.** Consideration to Approve Allowing the Taos Post Office to move the Installation of Mailboxes from NM 150 Mile Marker 7 outside the Village boundary to the Village Complex Property Parking Lot at 1346 NM 150
- 12. NEW BUSINESS**
 - A.** Consideration to Approve Resolution No. 2022-485 Requesting a Permanent Budget Adjustment to the FY2022 Budget (BAR) Acknowledging the Proceeds from the NMFA Loan and Corresponding Expense to the Fire Protection Fund (18) for Purchase of New Fire Equipment and including the Initial NMFA Interest-only Loan Payment into the Budget
 - B.** Consideration to Approve Resolution No. 2022-487 for NMDOT Agreement and Assign Designee to Sign Agreement for Project ID F3066 NMDOT C5213066 to Acquire Rights of Way and to Design and Improve Twining Road
 - C.** Consideration to Approve Resolution No. 2022-488 Requesting a Permanent Budget Adjustment to the FY2022 Budget (BAR) to Increase Salary and Benefits Expense in the EMS (09) Fund and

Increase the Transfer from the General Fund (03) while Increasing the Transfer into EMS to cover the Additional Expenses

D. Introduction: **Ordinance No. 2022-30** Amending Village Zoning Ordinance No. 17-30 to Include Provisions Regarding Cannabis Establishments and Uses and Amending the Village's Official Zoning Map to Create a Cannabis Overlay Zone

E. Discussion and Direction to Create a future Budget Adjustment Resolution to Fund \$30,000 for a Village Document Management System and the Professional Services that are required to implement the System for the Village of Taos Ski Valley

F. Discussion and Direction to Create a future Budget Adjustment Resolution to fund \$1,000 of Gap Funding to participate in an Agreement between Enchanted Circle Entities to Continue Operation of the Taos Recycling Center through January 2022

13. MISCELLANEOUS

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

15. ADJOURNMENT

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



Village of Taos Ski Valley
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VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
VIA ZOOM TELE CONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, AUGUST 28, 2021 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. 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 Neal King
Councilor Chris Staggs
Councilor Tom Wittman, Mayor Pro Tem

Staff present:

Village Administrator John Avila
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Building Official Jalmar Bowden
Public Works Director Anthony Martinez
Police Chief Sam Trujillo
Planning Director Patrick Nicholson
Village Attorney Susan Baker

3. **APPROVAL OF THE AGENDA**

MOTION: To approve the agenda with the amendment that item 10.A. Public Hearing: Ordinance No. 2022-71 Adopting Regulations for the Use, Sale, Production, Manufacturing, and Cultivation of Marijuana for the second reading of this ordinance would now become new item 11. A. for the first reading of an amended Ordinance No. 2022-71 Adopting Regulations for the Use, Sale, Production, Manufacturing, and Cultivation of Marijuana

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

4. **APPROVAL OF THE MINUTES OF THE JULY 27, 2021 VILLAGE COUNCIL REGULAR MEETING**

MOTION: To approve the minutes as presented

Motion: Councilor Kern

Second: Councilor King

Passed: 4-0

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

A. Homeowner Mike Fitzpatrick said that the Village needs to assess its capacity to fund the remaining 2/3 needed above projected impact fee collections if it wanted to fund the projects listed in the CIP

B. TSVI David Norden reported that the new Village entry road design work is well along and will include plans for lighting and drainage. Tree thinning is going well, with burning to occur in mid-October to mid-November. The Blake hotel will close from mid-October to mid-November, he said. Mr. Norden said that TSVI has been in discussions with State officials about possible Covid quarantine restrictions for out-of-state visitors, which doesn't appear to be a likely possibility at this time. TSVI will be meeting with approximately 30 representatives from Taos

Pueblo soon to ride Lift #4 and discuss Kachina Peak and will also be meeting with the Taos Valley Acequia Association. He said that TSVI is recruiting for employees in many departments.

6. **COMMITTEE REPORTS**

A. **Planning and Zoning Commission** –Commission Chair Wittman reported that the Commission would be meeting on September 13, 2021. The Commission did not meet in July or August.

B. **Public Safety Committee** – Chairman Neal King reported that the Committee and the Board had not met in August but would meet on September 13, 2021. Review of Firewise plans and other Public Safety items would be topics for discussion.

C. **Firewise Community Board of Directors** -see above

D. **Parks & Recreation Committee** – no report

E. **Lodger's Tax Advisory Board** – no report

F. **Capital Infrastructure Advisory Committee** – Director Nicholson reported that the CIAC had met twice since the July 12, 2021 Council workshop on impact fees. The Committee has adjusted its numbers based on water usage data, specifically for the proposed multi-family rate.

7. **REGIONAL REPORTS**

There were no reports.

8. **MAYOR'S REPORT**

A. Consideration to Appoint a Voting Delegate for the NMML Annual Conference Business Meeting
Administrator Avila said that he would be attending the Conference.

MOTION: To approve Appointing Administrator Avila as the Voting Delegate for the NMML Annual Conference Business Meeting

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

Mayor Brownell said that at the Landfill Board and IGC Committee it was announced that the Recycling Center would close. There may be an MOU drawn up between Taos County, the Town of Taos, and the Village of Taos Ski Valley for a recycling program. Mayor Brownell suggested that perhaps the Village could work with TSVI on recycling.

9. **STAFF REPORTS**

Staff reports were included in the Council packet and were posted to the Village web site. Administrator Avila highlighted parts of his report.

Chief Molina said that two staff members at 18 hours each would not satisfy the requirement to get the additional State funding.

Clerk Wooldridge reported on ongoing work to ensure that all businesses and short-term rental entities had their business registrations, and on work to orchestrate future possible hybrid meetings.

10. **OLD BUSINESS**

11. **NEW BUSINESS**

A. Introduction: **Ordinance No. 2022-71** Adopting Regulations for the Use, Sale, Production, Manufacturing, and Cultivation of Marijuana

Attorney Baker presented an updated and amended version of this ordinance from the version that was presented at the July 27, 2021 Council meeting. As this is the first reading of the ordinance, no action is required at this time. The ordinance will be brought back for consideration to approve after a Public Hearing is held at the next Council meeting.

B. Discussion of COVID Emergency Status, the New Mexico Department of Health Order and Direction to take measures to safeguard the public and personnel in the Village

Administrator Avila explained that the Governor's Office announced changes under the NMHOH Health Order on August 17, 2021 in response to the increase in COVID cases not only nationally but in New Mexico. The Village of Taos Ski Valley is committed to follow the State Order but also may take further action and is authorized under Emergency Resolution 2020-428. At this time, the change to mandatory masks for indoor public spaces is the primary requirement, with safety precautions being the watch word.

The community-wide support for precautions and safety requirements was instrumental in keeping COVID cases from completely closing the Ski Season of 2020/2021. Preparation for the coming season includes COVID precautions that may be more stringent than those require in the NMDOH Heath Order.

Discussion took place with the elected officials agreeing that at a minimum the Village should follow State requirements.

C. Discussion of US Postal Service Options in the Taos Ski Valley and Direction to assist the USPS to keep postal delivery within the Village of Taos Ski Valley

Administrator Avila said that the Taos US Postal Office contacted Mayor Brownell with news that the Village would lose Post Office Service in September and that Post Office cluster mailboxes were permitted and purchased to install outside the Village. The USPS has received permission from the NM Department of Transportation to install cluster boxes at the base of the canyon at NM 150 Mile Marker 7, the old cattle guard. The cluster boxes for the Village mail are ordered and are due before the end of the month. Installation of boxes outside the Village was presented as being imminent.

The Mayor and Administrator Avila were able to meet with Taos Postmaster Leyba to understand plans for the Taos Ski Valley mail. Taos USPO met with Denver Region Leasing Agent on Monday for confirmation of planning. It is understood that negotiation for a Post Office site was in the works with Taos Ski Valley Inc. (TSVI). However, the Taos PO did not have an agreement and are continuing with their plan to install the cluster boxes.

The USPO had an opportunity to visit the Village Complex to review as a Plan B option to placing boxes outside the Village and they considered the location better than at the NM 150 MM 7. While an indoor Village PO is preferred, the USPS is looking for a long-term agreement to avoid moving a temporary installation.

Discussion took place on the possibility of continuing some form of Village post office with limited service, otherwise the option is installation of group boxes. TSVI said that they are willing to assist. A location would have to be temporary and then could be moved to the new building on Firehouse Road when it is completed. Homeowner Kathy Bennett said that she would work with TSVI to try and find a solution.

D Discussion of Zoning Options for Marijuana Establishments

Attorney Baker explained that Staff needs feedback from the Council regarding zoning for marijuana establishments. According to the New Mexico Cannabis Regulation Act ("the Act"), the Village has the authority to regulate the "time, place and manner" of marijuana uses within the Village's jurisdictional limits. The Act does not specify limitations on the Village's authority, except that the Village cannot require a marijuana establishment to be located more than three hundred (300) feet from a school, and marijuana establishments cannot be prohibited.

Marijuana establishments are to be treated essentially the same as other businesses and are somewhat analogous to liquor establishments. However, marijuana uses create more odors and are still offensive to sectors of the population, because they remain illegal in some states and under federal law.

Staff is proposing two options for a commercial overlay district for marijuana retail establishments. In this overlay district, such establishments would become a use by right; in other words, they would not be subject to a conditional use permit process. What is being considered at this time is having the Amizette commercial areas be included in the overlay zone and possibly the addition of a portion of the Village Core Zone. A map of each area was presented.

If the Core is included, should there be distance limits on allowing establishments to locate adjacent to residential homes, condos or hotels.

This will be taken to the Planning & Zoning Commission for a recommendation to Council.

E. Consideration to Approve Resolution No. 2022-482, A Resolution to Approve the Disposal of Capital Assets owned by the Village of Taos Ski Valley

In fiscal year 1997 the Village acquired a 1994 Atwood Modular building from Capital Modular in Bernalillo County, NM. It was placed at 7 Firehouse Road next to the Village Office to be utilized as a police station. Staff has not been able to locate a capital folder nor a bill of sale, so the building purchase price is unknown. Staff estimates the expense at \$25,000 based on the current pricing of these types of units. The Police Offices have now been relocated to the Village Complex and the modular building is not in use.

Staff will dispose of the building via surplus auction, but if unable to sell it, it will be disposed of as scrap. Estimated salvage value of the building is \$500.

MOTION: To Approve Resolution No. 2022-482, A Resolution to Approve the Disposal of Capital Assets owned by the Village of Taos Ski Valley

Motion: Councilor King

Second: Councilor Wittman

Passed: 4-0

F. Consideration to Approve Resolution No. 2022-483, the Village of Taos Ski Valley 2023-2027 Infrastructure & Capital Improvements Plan (ICIP)

Director Nicholson explained that the Village ICIP is prepared annually for submission to the NM Department of Finance & Administration. It establishes Village policy and project funding priorities for the five-year period FY 2023-27. Unlike the Capital Improvements Plan (CIP), the ICIP contains a vast assortment of desirable and necessary projects proposed by Village department directors and elected officials. Considerable work remains to identify and secure project funding, designate a Village project manager, coordinate project planning and development across departments, and eventually manage construction activities. Department directors developed, reviewed, and approved this year's ICIP submission.

Homeowner Kathy Bennett commented that the list should include provisions for funding EMS in the Village. It is hoped that next year more discussion ahead of time can take place on the list of projects.

MOTION: To Approve Resolution No. 2022-483, the Village of Taos Ski Valley 2023-2027 Infrastructure & Capital Improvements Plan (ICIP)

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

G. Consideration to Approve Resolution No. 2022-484, Assignment of Designee to Sign Agreement with NMED

Accepting the Reauthorized Capital Outlay to Plan, Design, Construct, Equip, and Install the Kachina Water Booster Station for the Kachina Water Tank and Distribution Lines

The Village of Taos Ski Valley had applied and received Capital Outlay funding for planning development of the Kachina Water Boosting Station, however funding was incomplete to start construction of the Permanent Kachina Water Boosting Station the immediate and critical need to fund the Kachina Booster station was partially resolved by Reauthorization of funds and the additional capital outlay is awarded for the updated agreement

The funding agreement for \$385,000 requires Council authorization for the Mayor to sign and also name the designated individual, the Village Administrator, to sign the agreement documentation

MOTION: To Approve Resolution No. 2022-484, Assignment of Designee to Sign Agreement with NMED Accepting the Reauthorized Capital Outlay to Plan, Design, Construct, Equip, and Install the Kachina Water Booster Station for the Kachina Water Tank and Distribution Lines

Motion: Councilor Wittman

Second: Councilor King

TSVI Peter Talty asked about a plan for connecting to the Booster Station and for connecting lines from the Kachina Tank to the rest of the Village. He also asked why the plan is to put the Booster Pump down at the green water tank instead of closer to the Kachina Tank. Mr. Talty said that TSVI has offered the land where the current booster pump is located, which is closer to the Kachina Tank. This would allow for less distance vertically as well as horizontally, he said. Director Martinez explained that if the pump were at the green tank, water from the Gunsite Springs could also be captured.

This resolution is to accept the funding. Design plans will be discussed separately, it was decided.

Mayor Brownell called for a vote.

Passed: 4-0

H. Consideration to Approve an Amendment and Renewal of the Contract between the Village of Taos Ski Valley and Willdan Financial Services for the Completion of the Impact Fee Study Report

Director Grabowski explained that the Village entered a contract with Willdan Financial to complete an Impact Fee Study. An RFP was done and Willdan Financial was the selected contractor. The original contract, No. 2020-09 was dated October 8, 2019, with a total amount not to exceed \$53,365.00 to complete the project.

Due to changes in the expense of estimated Village infrastructure needs, along with substantial input from the community, the project report has been revised several times. As of June 30, 2021, the total amount of the contract has been expended and the final report has not been completed because of these adjustments. Willdan Financial estimated that the additional services to complete the contract would not exceed an additional \$10,000. This would bring the total contract amount to \$63,365.00. Willdan Financial estimates that the Impact Fee Study report will be completed by December 31, 2021, however, should subsequent events occur that effect that, they requested an extension date of June 30, 2022.

Staff recommends authorization and approval to amend and renew the contract between the Village and Willdan Financial Services with an additional \$10,000 of services, to complete the final Impact Fee Study report no later than June 30, 2022.

MOTION: To Approve an Amendment and Renewal of the Contract between the Village of Taos Ski Valley and Willdan Financial Services for the Completion of the Impact Fee Study Report

Motion: Councilor Wittman Second: Councilor King

CIAC Member Mike Fitzpatrick said that he didn't like the methods that Willdan had used.

Mayor Brownell called for a vote.

Passed: 3-1 (Councilor Kern voting nay)

I. Consideration to Approve the Memorandum of Agreement between the Village of Taos Ski Valley and the North Central Regional Transit District to provide Winter Transit Service to the Village of Taos Ski Valley

The North Central Rural Transportation Department has proposed to the Village of Taos Ski Valley, Town of Taos, Taos County a cost allocation to resume Winter Service to the Taos Ski Valley. The NCRTD proposed the expanded winter service for \$ 150,000, with cost allocation of \$60,000 for NCRTD, \$45,000 for the Village, \$25,000 for the Town, and \$20,000 for the County

The Village and NCRTD have previously made the agreement for service for the Winter Ski Season supported by Lodgers Tax and contributions from the Town and recently the County. The Town and County contributions follow the Village NCRTD agreement and those will be heard by Council before the NCRTD service starts.

Should conditions not allow the service this Winter, the NCRTD can discontinue service and as in the past when not able to complete the program the Village receives a prorated credit. Should funding not be available the Village may terminate the agreement. Notice of termination by either party shall be effective upon the date of receipt

The plan is to add two more routes to the Green Service schedule.

MOTION: To Approve the Memorandum of Agreement between the Village of Taos Ski Valley and the North Central Regional Transit District to provide Winter Transit Service to the Village of Taos Ski Valley

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

13. MISCELLANEOUS

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

The next meeting of the Village Council will be the Regular Meeting scheduled for September 28, 2021 at 2:00 p.m. via Zoom. (Note: A Special Council meeting was later added for September 9, 2021)

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

The meeting adjourned at 4:30 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk



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**VILLAGE COUNCIL SPECIAL MEETING
DRAFT MINUTES
VIA ZOOM
TAOS SKI VALLEY, NEW MEXICO
THURSDAY, SEPTEMBER 9, 2021 2:00 P.M**

1. CALL TO ORDER & NOTICE OF MEETING

The Special 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 Special 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 Neal King
Councilor Chris Stagg
Councilor Tom Wittman, Mayor Pro Tem

Village Staff Present

Village Administrator John Avila
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Building Official Jalmar Bowden
Planning Director Nicholson

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

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

4. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve **Ordinance No. 2022-71** Adopting Regulations for the Use, Sale, Production, Manufacturing, and Cultivation of Cannabis According to the New Mexico Cannabis Regulation Act ("the Act"), the Village has the authority to regulate the "time, place and manner" of cannabis uses within the Village's jurisdictional limits. The Act does not specify limitations on the Village's authority, except that it cannot require a cannabis establishment to be located more than three hundred (300) feet from a school, and that marijuana establishments cannot be prohibited. The State has authorized local governments to require business licenses for a cannabis establishment and to enact zoning regulations to ensure that these establishments are compatible with the surrounding neighborhood. The State prohibits a local government from enacting a moratorium on cannabis establishments, even if zoning and other regulations are not in place. The Act provides for State licensure of all cannabis establishments. The licenses for production, manufacturing, and cultivation are to be available no later than September 1, 2021, and the State will begin to process applications at that time. The licensure of retail sales is to begin in the

spring of 2022, or earlier. If an establishment obtains its license for production, manufacturing or cultivation in September from the State, it can legally convert part of its premises to retail at a later date. State officials have also indicated that they may try to get licensure of retail establishments in place prior to the spring of 2022. Therefore, it is important that the Village have its own comprehensive regulations in place by September 1, 2021, or shortly thereafter. Without local regulations, there could be a legal argument that once a business obtains the State license, it could locate in the Village as it sees fit. Local licensing also allows the Village more enforcement authority if the State's enforcement capacities are overwhelmed in the coming year. The State is allowed up to ninety days to issue a cannabis establishment license once an application has been received but intends to process applications in a much shorter time frame. The proposed Village ordinance is a first step. It will also be necessary for the Village to make some slight modifications to its zoning regulations to address cannabis establishments. The proposed ordinance provides for a local cannabis business license and requires the applicant to meet certain conditions such as establishing a permanent bricks and mortar/legal location, avoidance of noxious odors, compatibility with adjacent businesses or residences, hours of operation, ventilation, and limiting displays of cannabis products on the outside of the establishment. The license fee is \$250 dollars, which mirrors the amount the Village has historically charged for a local liquor license. The ordinance also limits marijuana use in public places such as sidewalks, parking lots, and the Village Plaza. State law prohibits a cannabis establishment to be located on the same premises as, or combined with, a licensed alcohol establishment. It does allow cannabis to be combined with other retail uses.

The proposed ordinance prohibits commercial operations in a residential area, and these prohibitions will also be outlined in the zoning ordinance amendments.

The ordinance adopts a penalties provision, which will apply to illegal use in public places and violation of the local limits on growing for personal use. It will also apply to sellers, producers or growers who do not have a State license. Where an establishment has a State license in place, the Act provides that no criminal penalties may apply. Therefore, the ordinance allows for the revocation of a local business license (rather than criminal penalties) where a State license is already in place.

PUBLIC HEARING: Mayor Brownell opened the Public Hearing. No one spoke for the Ordinance, and no one spoke against. The Public Hearing was closed.

MOTION: To Approve Ordinance No. 2022-71 Adopting Regulations for the Use, Sale, Production, Manufacturing, and Cultivation of Cannabis

Motion: Councilor Stagg

Second: Councilor King

Passed: 4-0

5. NEW BUSINESS:

A. PUBLIC HEARING: Consideration to Approve Amended and Restated Resolution No. 2021-469 Adopting the 2021 Development Impact Fee Land Use Assumptions

Director Nicholson explained that the Village of Taos Ski Valley has been working on a Capital Improvements Plan (CIP), through the Village Planning & Community Development Department, with the goal of updating development impact fees and related water and sewer system development fees, through adoption of an amended development impact fees ordinance.

The Village's actions are regulated by the New Mexico Development Fees Act, NMSA 1978, Section 5-8-1 et. seq. (the Act), which establishes specific procedures for municipalities and counties to impose development impact fees. As part of the update to the Village's development impact fees, Council adoption of Land Use Assumptions are a required prerequisite for future adoption of revised development impact fees and related ordinances under the Act.

The Land Use Assumptions will partially serve as the basis for projecting the demand for capital improvements or facility expansions that will be needed to serve anticipated future growth in the

Village during this ten-year period and provide an understanding of probable population, job growth, and projected land uses.

As directed by the Act, the Village Council recently established the Capital Improvement Advisory Committee (CIAC) which has reviewed the Land Use Assumptions at public meetings on December 10, 2020, January 20, 2021, February 10, 2021, and subsequent meetings, and recommends approval.

Director Nicholson said that densities for all the categories had been reduced since the previous presentation of this document.

PUBLIC HEARING: Mayor Brownell opened the Public Hearing. No one spoke for the Resolution. Speaking against were Peter Talty, who questioned the baseline assumptions of the study and what he said were inconsistencies in the document. He also questioned the number of houses accounted for in the report as being too high. Kathy Bennett also spoke against.

The Public Hearing was closed.

MOTION: To Approve Amended and Restated Resolution No. 2021-469 Adopting the 2021 Development Impact Fee Land Use Assumptions

Motion: Councilor Wittman

Second: Councilor King

Discussion followed. Councilor King said that he also had concerns about the report which supported the proposed Land Use Assumptions. CIAC Chair Ben Cook explained that if the number of housing units were to be reduced, it would only serve to increase the proposed fee per unit. CIAC Member Tom Mastor said that the Council should look at the big picture and should move forward. Councilor Kern said that discrepancies in the report needed to be addressed.

TSVI Chaz Rockey said that the general process was confusing and asked about the four required steps including the Land Use Assumptions, the Capital Improvements Plan, and the adoption of the Development Impact Fees. Mr. Rockey questioned the eagerness to get this passed quickly when the proposed Plan of Finance had not yet been completed and infrastructure studies were underway. He recommended that the Village study what is really needed and what funding parties could be a part of the plan, such as the State Fire Marshall. He pointed out that the Plan included \$4 million in Fire Department projects alone, in a ten-year period. Mr. Rockey recommended that a comprehensive plan be drawn up. He offered TSVI's assistance in drawing up the plan.

CIAC Chair Cook said that if no action were taken, the Village would miss out on potential future impact fee collection. Councilor King noted that if the first step seemed unsure, it didn't make sense to proceed with the other steps.

Mayor Brownell called for a vote.

Failed: 0-4

B. PUBLIC HEARING: Discussion Regarding Adoption of the Village's Capital Improvements Plan Related to Development Impact Fees

Director Nicholson explained that the plan is to present at the next Village Council meeting on September 28, 2021 the three items related to the required Development Impact Fee Update. The agenda items will be a Resolution adopting the Village Capital Improvement Plan, a Resolution Adopting Development Impact Fees, and a First Reading of the Updated Development Fees Ordinance.

Councilor Stagg asked how a Public Hearing could be held without an agenda item to consider, and that a vote could not take place without it having been announced as such on the agenda. Discussion took place on the relationship of the Capital Improvement Plan list of projects with new development.

The Public Hearing was not held.

C. PUBLIC HEARING: Discussion Regarding Adoption of Village Development Impact Fees

TSVI Peter Talty recommended that existing needs be considered along with plans that are underway such as the Kachina Master Plan and the Water Study. He said that TSVI would work with everybody to develop a methodology and a plan. Mr. Talty said that more and more

information is being gathered on the existing infrastructure to better understand the real needs for the Village.

The Public Hearing was not held.

D. Consideration to Approve Resolution No. 2022-486, A Resolution Authorizing and Approving Financial Assistance from the New Mexico State Highway and Transportation Department FY2022, NM LGRF DOT

Director Martinez explained that the if the Council wished to approve the Resolution for State Highway and Transportation Department funding, a contract for Village approval for the 2022 road project would be drafted. The Village requests that NMDOT contribute \$56,252.00 with the Village to match or exceed \$18,751.00 for a total contract price of \$75,003.00, which is consistent with recent funding applications with NMDOT.

The project scope of work: drainage structures, culverts, blading, reshaping, hauling, disposal, placement, and compaction of all materials. The plan is also to continue to apply base course and dust control materials throughout the Village to build up the roads due to material loss from erosion.

MOTION: To approve Resolution No. 2022-486, A Resolution Authorizing and Approving Financial Assistance from the New Mexico State Highway and Transportation Department FY2022, NM LGRF DOT

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

6. ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

The next meeting of the Village Council will be the Council Regular Meeting on September 28, 2021 at 2:00 p.m. via Zoom Teleconference.

6. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

The meeting was adjourned at 3:15 p.m.

Mayor Christof Brownell

ATTEST: _____

Ann M. Wooldridge, Village Clerk

John Avila
Village Administrator
Village of Taos Ski Valley Council
Monthly Briefing
September 28, 2021



*** Ongoing & Past Projects ***

COVID -19 - Pandemic Emergency:

The Governor's Office announced changes under the NMHOH Health Order on 9/15/21, requiring vaccination for employees of the Office of the Governor, hospital workers and congregate care workers.

In Taos County:

The slow downward trend continues nationally as case rates fall in the hard hit south of the country but steadily increase in the north as we approach fall. New Mexico experienced a marginal increase in cases and a marginal decrease in hospitalizations. In Taos County, the case count fell by 40% to 40 cases last week. Sadly, we had one new COVID related death reported in Taos County.

For a while it appeared we were on track for a repeat of last year in New Mexico, but case counts and hospitalizations have stabilized and begun to decline over the last month.

Summary:

- Nationally, cases were down 12% in the last seven days, up 4% in New Mexico and down 40% in Taos County.
- The average daily case count in New Mexico increased to 652 cases per day down from 629 the week before. Still above the state's most recent target of 210 .
- Current hospitalizations decreased 5%, the 7-day average is 356. Having reached a recent low of 67 on July 7.
- Average deaths per day in NM remained at 10 per day. Having reached a recent low of 1 on June 29.
- There were 40 new cases in Taos County last week, down from 67 the week before. Bringing the total to 2,183.
- There was one new death reported among Taos County residents last week. Bringing the total to 58.
- Testing in Taos County has increased to a 7-day average of 179 tests per day, up from 159 the prior week.
- Taos County's crude positivity rate is 4.4% (14-day avg). The crude case rate is 6.9 cases per day (14-day avg), above the old gating target of 3.28. Taos County's adult fully vaccinated rate is 83%.
- FDA expected to issue an Emergency Use Authorization any day now for 3rd shot of Pfizer 6 months after completion of two-dose regimen. NMDoH is expecting to start 3rd shot doses for eligible groups (e.g. 65+) on Monday.
- 62.5% of doses in New Mexico in August were given by pharmacies.
- Pfizer is applying for an EUA for 5-11 year olds after positive trial results. Expected for end of October.

- Johnson and Johnson second dose provides 94% efficacy in trial data compared to 74% from first dose.
- NM Hospital system is still on the edge of Crisis Standards of Care with around 350 current Covid-19 hospitalizations.
- On September 21, Presbyterian had 120 unvaccinated Covid-19 inpatients vs 8 vaccinated Covid-19 patients. (93.8% of Covid-19 patients were unvaccinated).
- There has been a significant increase in the use of Monoclonal Antibodies treatment in New Mexico, but we still have more supply in the state, NMDoH encourages further use.
- Two patients in New Mexico have died from Ivermectin toxicity. Ivermectin is NOT an approved treatment for Covid-19.

Village Offices are following the NM Department of Health Order and are still OPEN for visitors and operations 9AM -4PM M-F under mask restrictions, to be evaluated with the next DOH amendment.

Staff can still request Work at Home with a work accountability plan

Some businesses in the Village require testing of employees, or proof of vaccination.

Facility Undergrounding

KCEC has again submitted application with NMDOT for access on the south side of the highway. We don't have a report of progress with NMDOT yet. The work to obtain permission to underground in some locations due to US Forest Service property continues for the north side of NM 150.

The Village has been able to utilize recently verified utility easements for access to the alleyway between Emma and Gearson and to book materials for the work. Once the trenching is scheduled the property owners will be notified of access to underground KCEC or they can use their own contractor after being approved for credit.

Once the underground service is available near a property, the five steps to connecting underground are:
The Owner to engage a contract electrician for work on their property,
Then together contact Kit Carson Electrical Cooperative with the meter number and request an *upgrade to an underground service*, **KCEC** and the electrician will contact the Village for underground permitting and start credit request for public Right of Way work,
Proceed with underground work and connect to the underground service,
Make the credit application for the portion of work done in the public ROW. If the property is undeveloped, the request is for a new service.

While KCEC obtains permit to start the KCEC underground project on the south side of NM150, the Village is pursuing a lower priority project for KCECUG. The joint trench installation of underground electricity with gas line expansion from Coyote – Phoenix is hampered by shortages in qualified labor. Initial coordination of the VTSV, KCEC and NM Gas allowed a plan for a joint trench installation for both electricity and gas lines on Coyote, Chipmunk and 500 ft. of Phoenix. This project will allow for

several sections of overhead electrical line to be installed to underground as well as bring the NM gas facilities near properties along the route.

Additional underground installation is being accomplished with the TIDD Entryway projects in the parking lot, near Thunderbird Road and Firehouse Lane. These are predicted to allow removal of some overhead poles on Twinning Road. An underground connection for the Vehicle Maintenance Facility along with the Waste Water Treatment plant will allow removal of more overhead lines on NM150 and Ocean Blvd.

An updated GIS map of KCEC UG installations with nearby property locations is being updated to share on the Village Web site.

WWTP

A tour for Rio Hondo Acequia Directors was conducted last month and members of the Taos Pueblo government were able to tour the plant Wednesday of last week. Our Departments were able to show the facilities and answer questions. Thanks to Ann Wooldridge, Anthony Martinez, Olaf Mingo, Kevin Cisneros and the rest of the crew.

“Anthony did an excellent job and was very respectful to the pueblo members who were very pleased at what they saw.”

The Waste Water Treatment Plant meets the needs for system expansion, designed to process additional peak flows and protecting the water conditions of the area. In order to increase capacity needed within limited space and funding, a mechanical system was selected by Village for the Waste Water System upgrade. This system is more productive but requires more technical care.

Reporting to the project agency is still required along with detailed preparation of final completion. The continued corrections to the plant are required of the manufacturer, Ovivo. The design engineer must review and comment on outstanding issues with Ovivo before final plant completion can be accepted. Ongoing work for the Waste Water Treatment Plant includes continued optimized efficiency of the Ovivo System along with ongoing training. Ovivo engineers and technicians are in contact to address system operations issues including monitoring programs, improving the ultraviolet treatment and plumbing corrections. A letter addressing issues was delivered to Ovivo

Kachina Water Booster Station

Ensuring that the water delivery is optimum, Public Works has reviewed the onsite status of operating systems for the Kachin Tank including water delivery. The project will be accepted as final after conditions to correct segregation valves are met. Because of recent product lead times and season demands, the correction is unlikely before next spring.

Until the permanent Water Booster Station is built, the temporary pump station upgrades allow for remote automatic operation between the pumps and tank equipment. The temporary pump station is operational and can receive remote commands through the fiber installation. The temporary pump station has a limited useful life but will suffice until the permanent Kachina Water Booster Station is

constructed for service of the Kachina Water Tank. Water Distribution lines from the Kachina Tank will also need to be constructed and are a priority project.

Village Complex –

There is increased interest among employees for housing at the Village Complex but the use of the units as office space and EMS bunking has reduced the average cost per unit of sewage pumping and utility use.

The office assignment of the Police Department replaced the 20year assignment to a construction trailer with unfortunate air conditioning in the winter. The Village Offices at the “Taos Mountain Lodge” location can be housed in separate units. A double driveway is needed to improve traffic flow and parking at the site. The Building Inspector, Police and Fire Administration Offices are currently housed in Village units.

Application for a grant for an Administration Office is approved by the Office of the State Fire Marshal and awarded starting Fiscal Year 2022. The state office agrees that the advantages of having an Office for Fire/EMS Administration located on site are value for the firefighting effort.

The Village is required to man the Administration office with at least two part time paid staff. Although having other duties the staff must gain certification as a Fire Investigator and a Fire Inspector.

Beyond being able to inspect buildings for compliance and investigate fire emergencies the increased staff are available to respond to fires and other emergency calls.

Housing the Fire Administrative Office on site allows the Main Fire Station to have overnight bunking near the equipment for other emergency staff.

The percentage of time required to conduct the Inspection and Investigation responsibilities is only a small portion of the duty hours and staff will be available for emergency response for the majority of their shift.

Plan of Finance

Following the fiscal mid-year Budget Review in January, we had consulted the Village Financial Advisor, Stiffel for input to create a Plan of Finance model. We had narrowed the scope of specification for an estimate of work and have had contributing review by TSVI for an assignment to Stifel of the POF Model. At the project meeting with Stiffel in August, TSVI was invited to review some of the information to date and share data. As the POF develops further TSVI has offered to share information including estimates of water use expected in the future. Stiffel and TSVI met last week to review reports in development.

The model should allow for different assumptions to be input for testing by allowing changes in financial information and project plans. In order to plan our financing of needed projects we should be confident in resources for the public facilities and infrastructure to provide the expected level of service. Some questions are still unanswered regarding possible sources of funds and unexamined costs. New revenues from cannabis sales, predictable development fees and charges for accessing public facilities are not determined. Maintaining an expected level of service with all Village facilities may be an additional expense not forecasted in the past.

Just for the Public Works Department, considering one factor uncovers service costs. Maintaining snow free roads and walkways after development has an associated cost; like the rising cost for purchasing snow storage as property costs increase and availability decreases. Take the cost of snow melt equipment; both purchase and operation are additional costs that were not planned for as facilities

developed. The drainage facilities required further development as the natural terrain is altered and increased flows are concentrated differently. Unfunded mandates for environmental oversight of development may add additional cost factors.

In order to get the best picture, the POF should take into account all variables. To get the report soon, determining all possible sources of funds is important to assumptions for POF.

The **Infrastructure Capital Improvement Plan** is the list of projects that all public entities in New Mexico are required to submit to the State system in order to be considered eligible for funding managed by the State. Projects that are on the CIP may also be listed on the ICIP so that if a grant is obtained the overall cost of projects and the cost to the Developers is reduced. That entry is due mid-September.

The **Capital Improvement Plan** is a statutory requirement for creating Development Impact Fees and includes the Critical Infrastructure Facilities that are needed for increased service level to support the investment of Property Developers. The Impact Fee/Development Fee is the charge all Developers pay for that portion of the cost for those facilities that reflects their fair share of the increased impact of development.

TIDD – Construction is completed and landscaping along the project for Thunderbird/Ernie Blake Roads projects is ongoing. One driveway correction to plan has been completed, however there is still evaluation of traffic and safety signage that is needed.

Compiling detailed financial documents for Strawberry Hill projects assist review for dedication being reviewed. Contemporaneous review and documentation of the projects within the Village was lacking and now requires the development and review of project documentation for the record of assets and fiduciary responsibility of the TIDD.

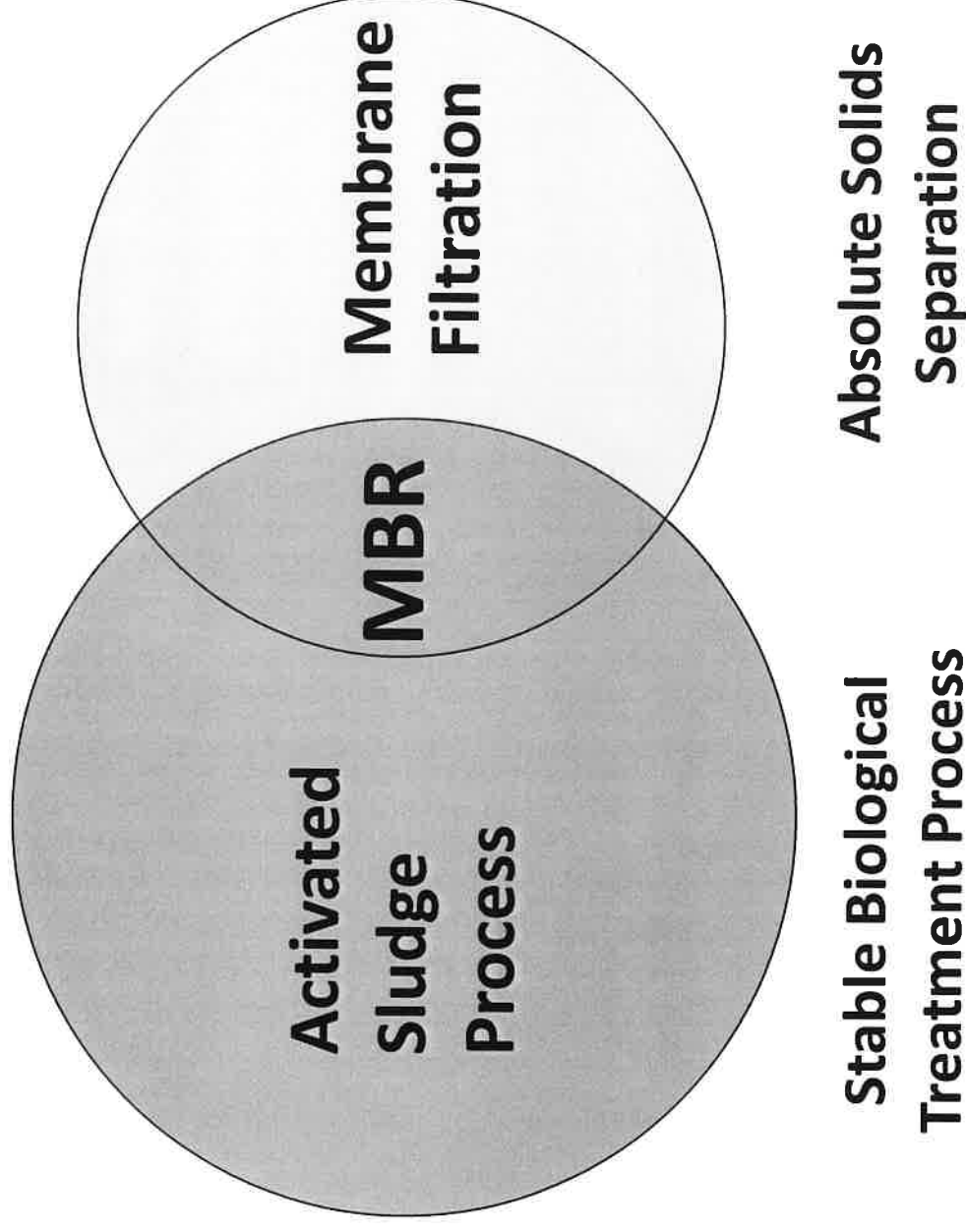
Entry Road development by Taos Ski Valley Inc. has been presented to the Village at the Council Work Shop 4/13 and questions and comments are provided to TSVI for their application to US Forest Service permit. The Village gave support to the US Forest Service Master Development Plan submission resolution. The project design review by the Village is planned for mid October.

The **Tax Increment Development District** is the mechanism that certain economic development investments by the designated developer (TSVI) are to be funded by tax revenues from the Village, County and the State. The tax is charged in most areas of the Village for project funding. To avoid double dipping TIDD projects should not be part of the ICIP or CIP consideration.

Village of Taos Ski Valley

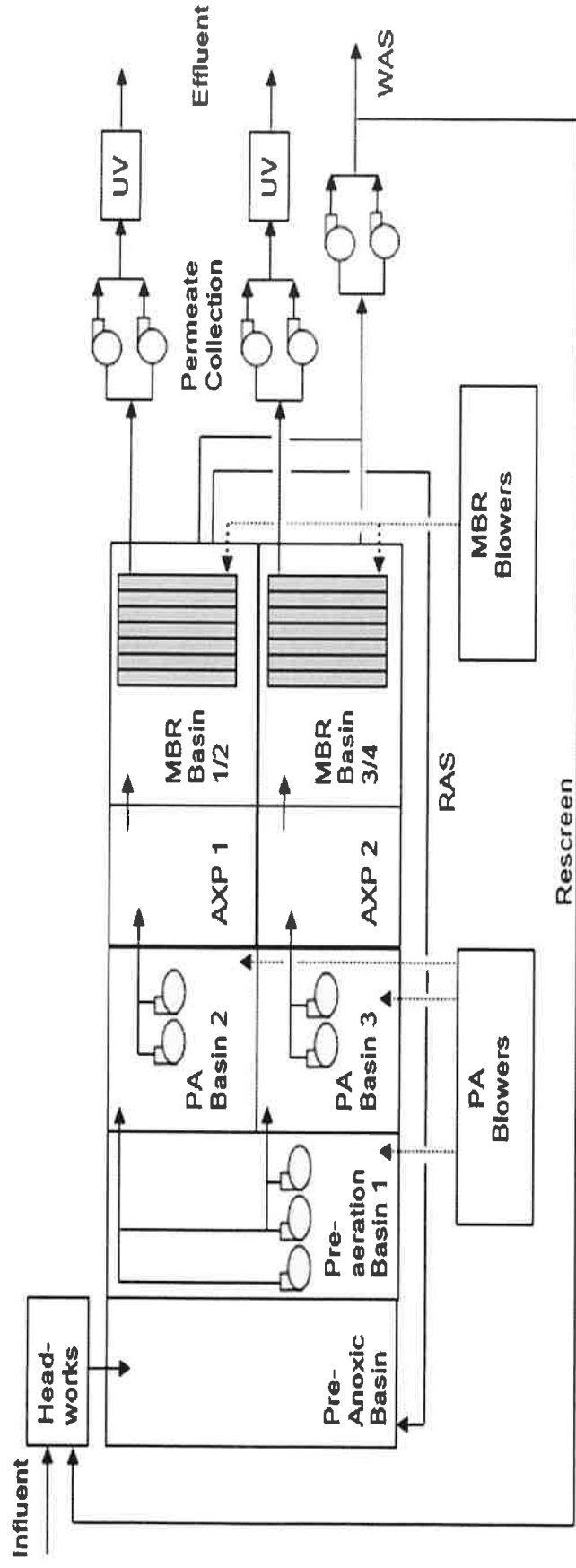
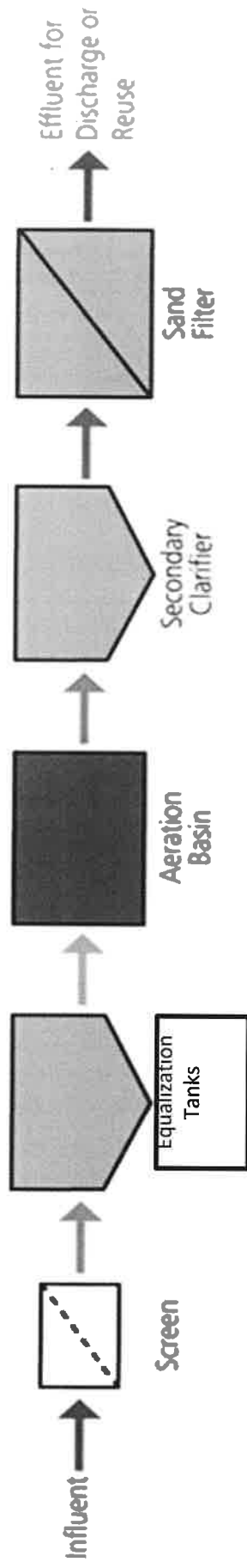
Basics of Membrane
Filtration

Membrane Bioreactor (MBR)



Wastewater Comparison

Conventional Multi-Step Tertiary Treatment Process



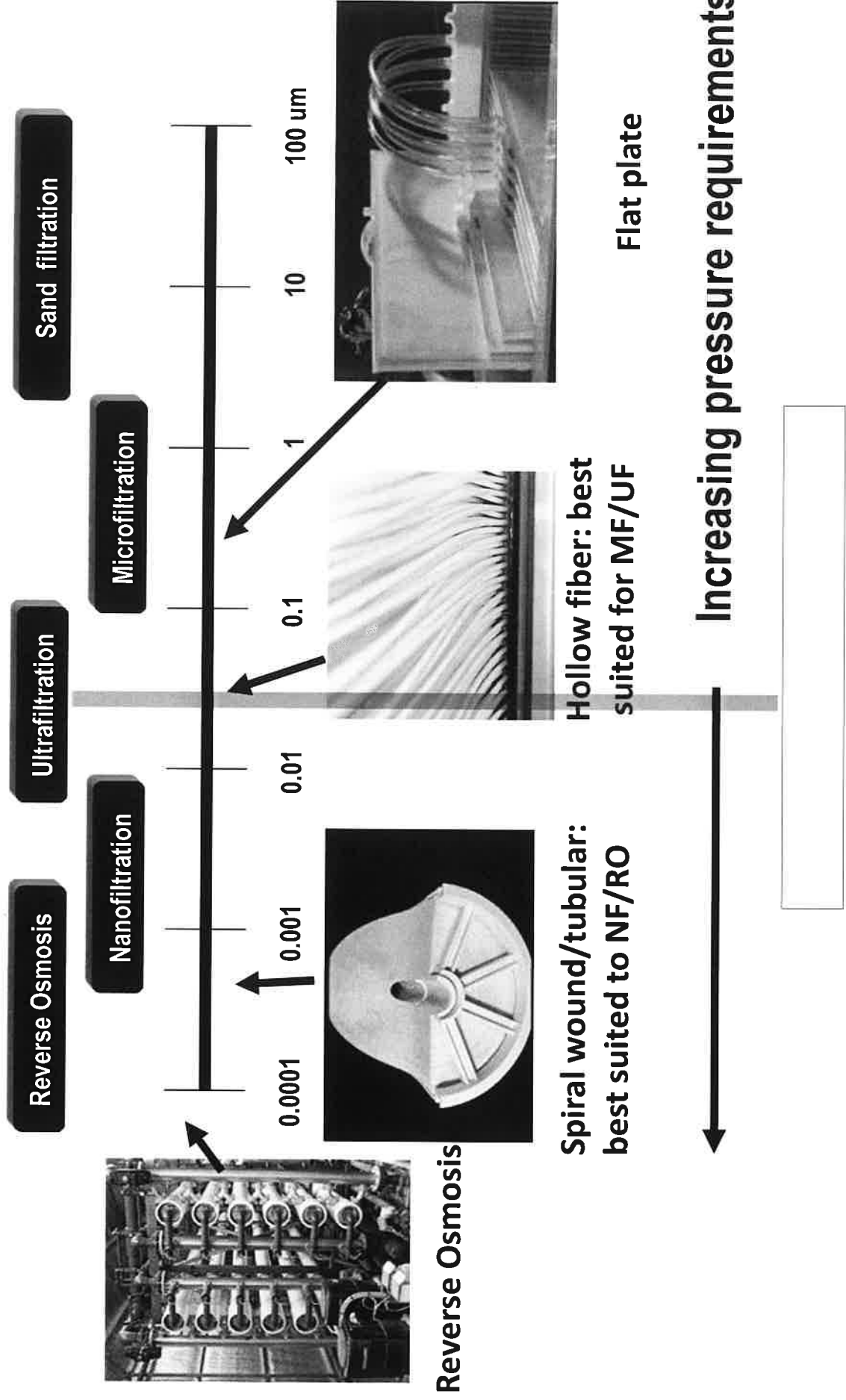
Review:

Fibers, Modules and Cassettes

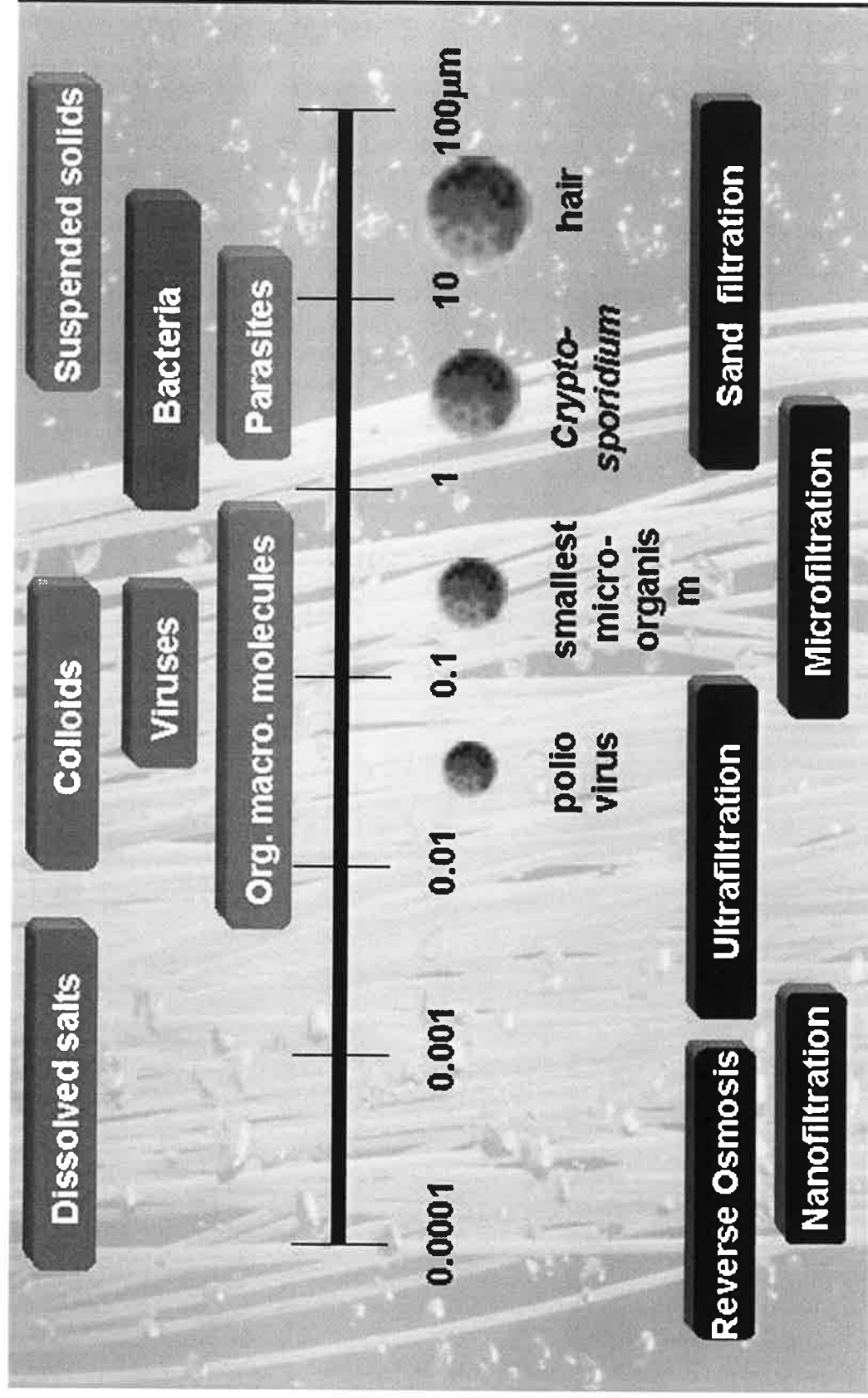
- The pores in the membrane form a physical barrier to impurities
- Using a small amount of suction (~5 psi or 35 kPa) water is drawn through the pores
- Each module contains 40 Cembrane plates
- Each module has 65 square feet of active membrane surface



Membrane Pore Sizes



Filtration Spectrum

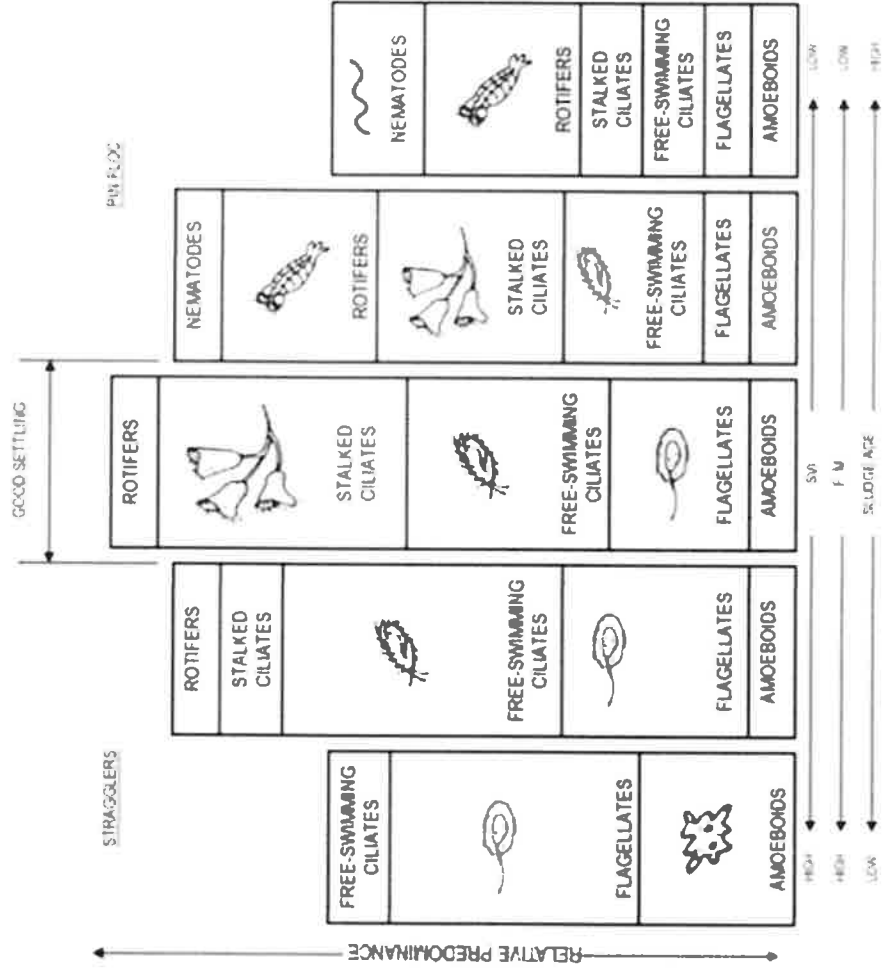


Mixed Liquor Suspended Solids:

MLSS

- Activated sludge is a biological process that utilizes microorganisms to convert organic and certain inorganic matter from wastewater into cell mass
- This food is mostly organic material. The more soluble the organic material is, the more easily microorganisms can use it.

Protozoa and Organisms in MLSS

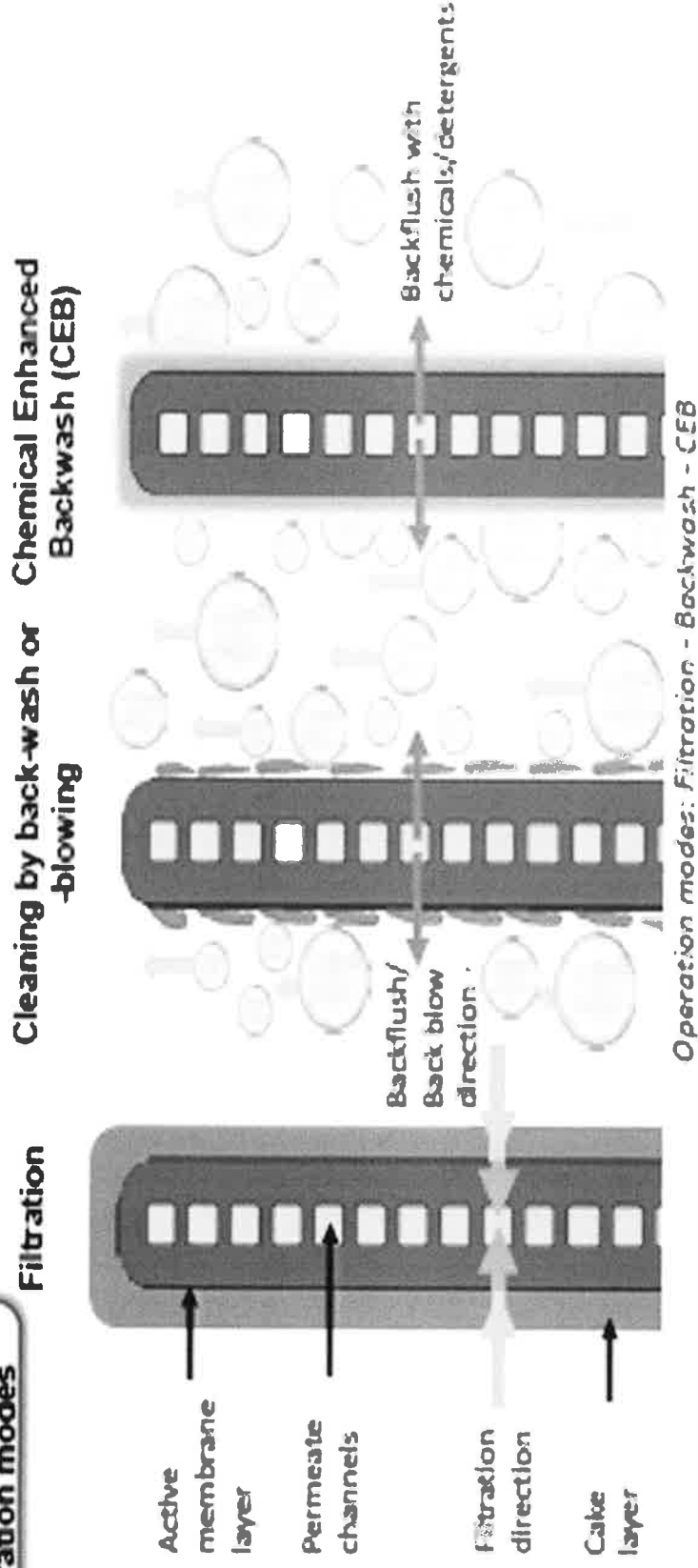


Source: CSU Sacramento, Operation of Wastewater Treatment Plants (Vol II, 6th ed.)

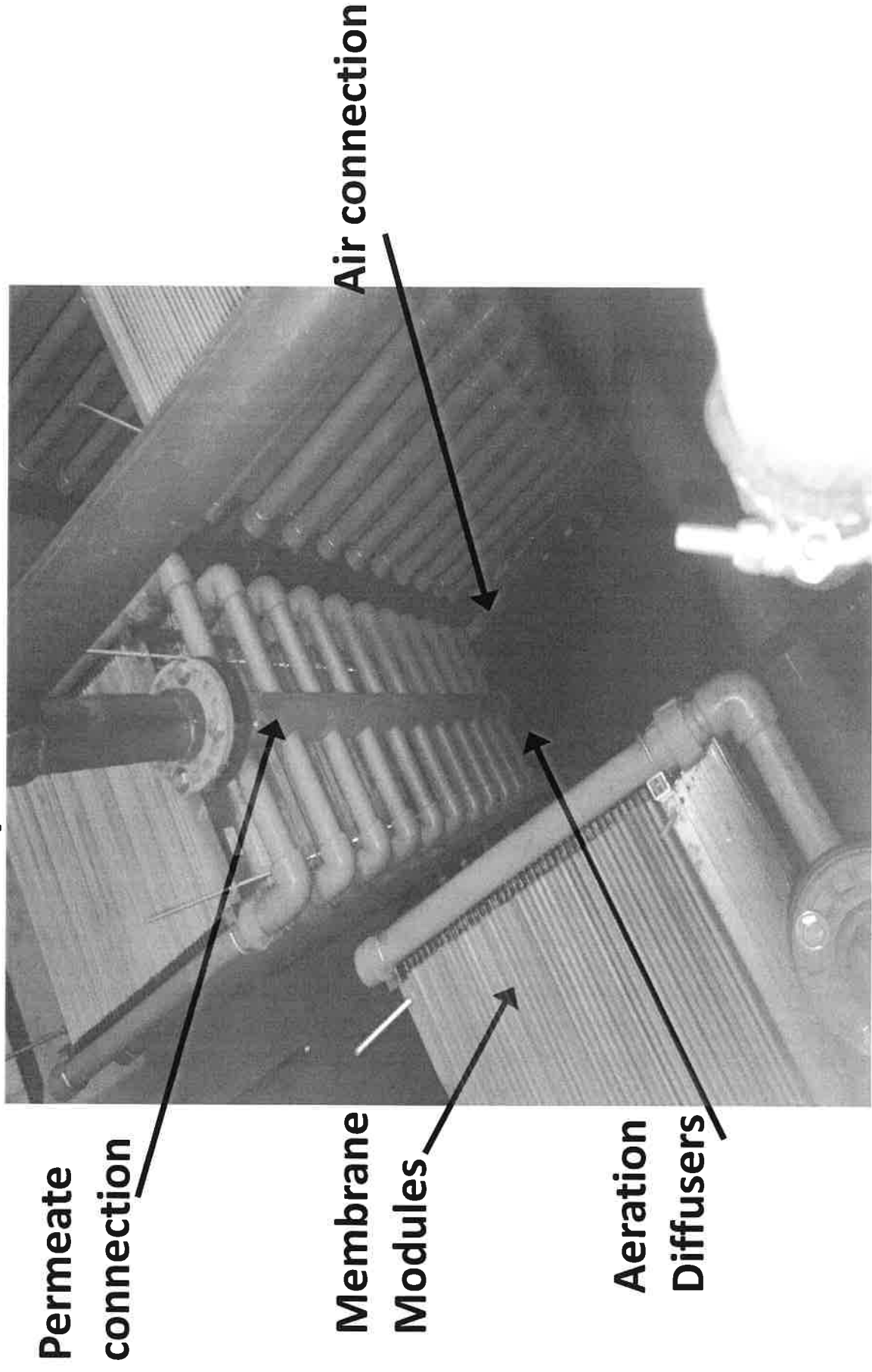
Review:

Membrane Operation

Cross section of Flat sheet membrane during different operation modes



Review: Cembrane Stack Components

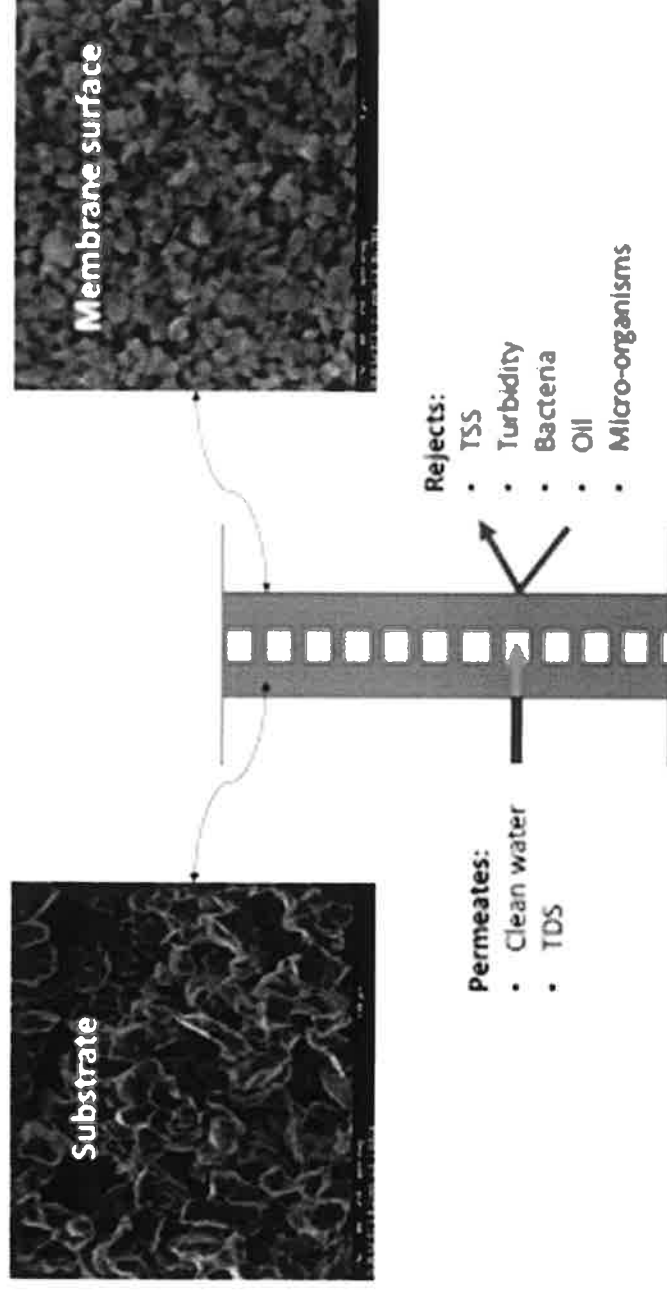


Membrane Properties

Membrane properties

Design

The pore size of the membrane is in the MF/UF range ($0.1\text{ }\mu\text{m}$) with an asymmetric design as illustrated below.



Permit

NPDES PERMIT No. NM0022101

Page 1 of PART I

PART I – REQUIREMENTS FOR NPDES PERMITS

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. Effluent Limits – 0.167 MGD Design Flow

Beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated municipal wastewater to the Rio Hondo, in Segment Number 20.6.4.129, from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
POLLUTANT	STORET CODE	Standard Units		MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
		30-DAY AVG	7-DAY AVG				
pH	00400			6.6	8.8	Five/week	Grab

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
POLLUTANT	STORET CODE	lbs/day, unless noted		mg/L, unless noted (*1)		MEASUREMENT FREQUENCY	SAMPLE TYPE
		30-DAY AVG	7-DAY AVG	30-DAY AVG	7-DAY AVG		
Flow	50050	Report MGD	Report MGD	N/A	N/A	Daily	Totalizing Meter
Biochemical Oxygen Demand, 5-day							
November 1 - April 30	00310	23.8	35.7	30	N/A	Twice/Month (*2)	Grab
May 1 - October 31		23.8	35.7	30	N/A	Once/Month	Grab
Total Suspended Solids							
November 1 - April 30	00530	23.8	35.7	30	N/A	Twice/Month (*2)	Grab
May 1 - October 31		23.8	35.7	30	N/A	Once/Month	Grab
Biochemical Oxygen Demand, 5-day, minimum % removal	≥85%	N/A	N/A	N/A	N/A	Once/Month	Calculation (*8)
Total Suspended Solids minimum % removal	≥85%	N/A	N/A	N/A	N/A	Once/Month	Calculation (*8)
E. coli Bacteria	51040	N/A	N/A	126 (*3)	235 (*3)	Twice/Month (*2)	Grab

Permit cont'd

NPDES PERMIT No. NM0022101

Page 2 of PART I

Fecal Coliform Bacteria	74055	N/A	N/A	N/A	N/A	200 (*3)	400 (*3)	N/A	Twice/Month (*2)	Grab
Total Residual Chlorine	50060	N/A	N/A	N/A	N/A	N/A	19 µg/l	N/A	Five/Week	Instantaneous Grab (*4)
Ammonia-Nitrogen November 1 - April 30 May 1 - October 31	00610	5.34 5.34	N/A N/A	5.34 5.34	3.2 3.2	N/A N/A	N/A N/A	3.2 3.2	Twice/Month (*2) Once/Month	6-Hour Composite 6-Hour Composite
Total Nitrogen (*5) November 1 - April 30 May 1 - June 30 July 1 - August 31 September 1 - October 31	00600	13.65 46.55 27.7 21.1	N/A N/A N/A N/A	20.5 68.8 41.6 31.7	8.2 27.9 16.6 12.7	N/A N/A N/A N/A	N/A N/A N/A N/A	12.3 4.2 24.9 19	Once/Week Once/Month Once/Month Once/Month	6-Hour Composite 6-Hour Composite 6-Hour Composite 6-Hour Composite
Total Phosphorus November 1 - April 30 May 1 - June 30 July 1 - August 31 September 1 - October 31	00665	0.8 1.6 1.2 0.8	N/A N/A N/A N/A	1.2 2.4 1.8 1.2	0.5 1.0 1.5 2.5	N/A N/A N/A N/A	N/A N/A N/A N/A	0.75 1.5 2.25 3.75	Twice/Month (*2) Once/Month Once/Month Once/Month	6-Hour Composite 6-Hour Composite 6-Hour Composite 6-Hour Composite

EFFLUENT CHARACTERISTICS			DISCHARGE MONITORING			MONITORING REQUIREMENTS		
WHOLE EFFLUENT TOXICITY TESTING (*6) (48-Hour Static Renewal)			30-DAY AVG MINIMUM	48-HR MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE		
<i>Daphnia pulex</i>			Report	Report	1/12 months (*7)	24-Hr Composite		
<i>Pimephales promelas</i>			Report	Report	1/12 months (*7)	24-Hr Composite		

Footnotes:

- *1 See Appendix A of Part II of the permit for the required Minimum Quantification Level (MQL).
- *2 Sampling at least ten days apart.
- *3 Colony forming units (cfu) per 100 ml or most probable number (MPN).
- *4 The effluent limitation for TRC is the instantaneous maximum grab sample taken during periods of chlorine use and can not be averaged for reporting purposes. Instantaneous maximum is defined in 40 CFR Part 136 as being measured within 15 minutes of sampling.
- *5 Total Nitrogen is defined as the sum of Total Kjeldahl Nitrogen (as N) and Nitrate-Nitrate (as N). See EPA Methods 351 and 353.
- *6 Monitoring and reporting requirements begin on the effective date of this permit. See PART II, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.
- *7 The discharge shall be tested between November 1 and April 30.
- *8 Percent removal is calculated using the following equation:

$$[\text{average monthly influent concentration (mg/l)} - \text{average monthly effluent concentration (mg/l)}] \div [\text{average monthly influent concentration (mg/l)}] \times 100.$$

Village of Taos Ski Valley Water Rights Information

- Proof of Beneficial Use:
- Proof of Completion of Works for Phoenix and Beaver Pond. PCW filed for Gun Site springs 6/1991
- Plan to upgrade the diversion structure required PBU extension filing
- Updated easements, insufficient funding delays Gun Site structures
- Extension of time filings will be required for the near future

Permit No.	Date of Approval	Diversion	C.U.	Purpose of Use	Priority Date	Place of Use
3571	April 1982	200 afy	15.0 afy	Primarily Snow making	1978	Village limits, from Beaver & Phoenix
0444A	Feb 1970	178.20 afy	8.91 afy	Nov-April; Municipal	1880	Storage Tank;
0444AA	Feb 1970	40 afy	2.0 afy	Municipal	1880	Kachina Green Pioneer /250,000 Gal.
Avg. 17.65 afy						
Proof of completion of works was filed by the Village, June 1991						
Gun Site PBU for extension of time sent June 2021 correction August 2021						

Septic in Amizette

SEPTIC TANKS AMIZETTE NOT WITHIN 150 FEET OF SEWER			
1	AMIZ 1-01	1287 State Rd 150	
2	AMIZ 1-03	1302 State Rd 150	
3	AMIZ 1-07	1294 State Rd 150	
4	AMIZ 2-01	1374 State Rd 150	
5	AMIZ 2-04	1296 State Rd 150	
6	AMIZ 2-06	1282 State Rd 150	
7	AMIZ 2-06B	1308 State Rd 150	
8	AMIZ 3-01	1348 State Rd 150	
9	AMIZ 3-02	1302A State Rd 150	
10	AMIZ 3-03	1304 State Rd 150	
11	AMIZ 3-04	1288 State Rd 150	
12	AMIZ 3-05	1321 State Rd 150	
13	AMIZ 3-05A	1300 State Rd 150	
14	AMIZ 3-08	1298 State Rd 150	
15	AMIZ 4-01	1301 State Rd 150	
16	AMIZ 4-02	1322 State Rd 150	
17	AMIZ 6-03	1368 State Rd 150	
18	AMIZ 6-07	1306 State Rd 150	
19	AMIZ 6-10	1314 State Rd 150	
20	AMIZ 7-06B	1312 State Rd 150	
21	AMIZ 7-10	1349 State Rd 150	
22	AMIZ 7-11	1279 State Rd 150	
23	AMIZ 8-03	1355 State Rd 150	
24	AMIZ 8-08	1295 State Rd 150	
25	AMIZ 8-13	1365 State Rd 150	
26	AMIZ 8-15	1339 State Rd 150	
27	AMIZ 8-17	1371 State Rd 150	
28	AMIZ 8-18	1344 State Rd 150	

Septic outside Amizette

SEPTIC TANKS VILLAGE (within 150 feet of sewer line)

1	A-08	13 O.E. Pattison Loop
2	B-02	12 O.E. Pattison Loop
3	C-01	2 Big Horn Hill
4	C-09	3 Wolf Lane
5	C-10	4 Wolf Lane
6	C-19	4 Dolcetto Lane
7	C-21	2 Dolcetto Lane
8	D-07	9 Coyote Lane
9	E-12	7 Phoenix Switchback
10	E-17	4 Cliffhanger Loop
11	K-04	96 Twining Road
12	K-10	24 Cliffhanger Loop

SEPTIC TANKS NOT WITHIN 150 FEET OF SEWER

1	N-01B	11 Mineslide Road
2	N-01C	13 Mineslide Road
3	N-02	33 Snow Shoe Trail
4	N-04	35 Snow Shoe Trail
5	N-07	39 Snow Shoe Trail
6	N-08	19 Bull of the Woods
7	N-09	39 Snow Shoe Trail
8	N-10	37 Snow Shoe Trail

Private Wells

BLOCKILOT WELLS	LAST NAME FIRST	HOUSE #	SKI VALLEY ADDRESS
BLOCKILOT	LAST NAME FIRST	HOUSE #	SKI VALLEY ADDRESS
1 N-01B	Donahue, Peter	11 Mineside Road	
2 N-01C	Walsh, James	13 Mineside Road	
3 N-02	Pepper, Bob	33 Snow Shoe Trail	
4 N-04	King, Neal	35 Snow Shoe Trail	
5 N-07	Fettig, Tad	39 Snow Shoe Trail	
6 N-08	Juhan, Frank	19 Bull of the Woods	
7 N-09	Chandler/Tilga	39 Snow Shoe Trail	
8 N-10	Johnson, Alan	37 Snow Shoe Trail	
BLOCKILOT	LAST NAME FIRST	HOUSE #	SKI VALLEY ADDRESS
WELLS AMIZETTE			
1 AMIZ 1-01	Austing Haus	1287 State Rd 150	
2 AMIZ 1-03	Columbine Inn	1302 State Rd 150	
3 AMIZ 1-07	Rickett, Kama	1294 State Rd 150	
4 AMIZ 2-01	Streamside Suites	1374 State Rd 150	
5 AMIZ 2-04	Brown, Troy	1296 State Rd 150	
6 AMIZ 2-06	Amizette Inn	1282 State Rd 150	
7 AMIZ 2-06B	Deveaux, Rey	1308 State Rd 150	
8 AMIZ 3-01	Leverett, Lynn	1348 State Rd 150	
9 AMIZ 3-02	Thomson, David	1302A State Rd 150	
10 AMIZ 3-03	Cottam's Ski Shop	1304 State Rd 150	
11 AMIZ 3-04	Bealo, Christina	1288 State Rd 150	
12 AMIZ 3-05	Gebhart/Pollinger	1321 State Rd 150	
13 AMIZ 3-05A	Burger, Holly	1300 State Rd 150	
14 AMIZ 3-08	Burch, Charles	1298 State Rd 150	
15 AMIZ 4-01	Clancy, Martin	1301 State Rd 150	
16 AMIZ 4-02	Grace, Thomas	1322 State Rd 150	
17 AMIZ 6-03	Nelson, Michael	1368 State Rd 150	
18 AMIZ 6-07	Dempsey, Michael	1306 State Rd 150	
19 AMIZ 6-10	Inn at Taos Valley	1314 State Rd 150	
20 AMIZ 7-05	Taos Mountain Lodge	1300A State Rd 150	
21 AMIZ 7-06B	Fulmer, Lee	1312 State Rd 150	
22 AMIZ 7-10	Loeb, Lenny	1349 State Rd 150	
23 AMIZ 7-11	Sloan, John Henry	1279 State Rd 150	
24 AMIZ 8-03	Malahy, Robert	1355 State Rd 150	
25 AMIZ 8-08	Boone, Zenas	1295 State Rd 150	
26 AMIZ 8-13	Mullins, Lynn	1365 State Rd 150	
27 AMIZ 8-15	Grilly, Julia	1339 State Rd 150	
28 AMIZ 8-17	Schweitzer, Robert	1371 State Rd 150	
29 AMIZ 8-18	Hobson, Richard	1344 State Rd 150	

Council Notes for September 28 ,2021 Meeting:

Revenues:

GRT : This month last year: \$46,487 This month this Year: \$84,767 (Sept GRT)

Last Year YTD: \$188,881 This Year YTD: \$194,679 (Sept)

The TIDD received \$84,130.57 in September for July collections.

Lodgers Tax:

This month last year: \$15,171 This Month this year: \$38,815 (Aug)

YTD Last year: \$ 23,342 YTD This year YTD: \$57,061

REVENUES:

- We received **\$13,044.53** in hold harmless GRT revenue in September which will be transferred to the USDA fund for monthly loan payments and reserves for the WWTP
- GRT collections are down
- Combined Water and sewer sales are up 2.2% from last August
- Business license fee collections are up.
- Lodger's tax collections are up 144% from last August.
- General grants revenue last August included the \$261K NMDOT grant for Twining Road.
- Solid waste collections are up 16%
- Village received \$5,135 in property tax collections in August 2021. Collections up 16%.

• **EXPENSES:**

- Salary expense is down because there were 5 payrolls in July and August 2020, and only 4 payrolls in those months in 2021. This included the elected official salaries as well.
- Outside contractor expense decreased 63%. Last year the Village was making payments on the Kachina tank construction
- Legal expenses are down in 50%. Payments in both years are for 2 months of legal expense.
- Vehicle maintenance is up. Repairs costing \$1700 were made to the 6-wheeler

Net income at the end of August: \$505,117.69. Less Loan disbursement revenue (\$454,115):

Actual Net income \$51,002

August 2021 Ending balance: Water fund \$9,970

Sewer Fund \$44,309

OTHER:

- The Fire/EMS positions have been posted and several interviews have transpired. No one has been hired as of this report.
- The auditors were in the Village office the week of 9/20/21.

VILLAGE OF TAOS SKI VALLEY
Profit & Loss Prev Year Comparison
July through August 2021

	<u>Jul - Aug 21</u>	<u>Jul - Aug 20</u>	<u>\$ Change</u>	<u>% Change</u>
Ordinary Income/Expense				
Income				
4017 Revenue GRT Comp Tax	200.57	0.00	200.57	100.0%
4012 · REVENUE -Water Sales	26,533.30	25,967.59	565.71	2.18%
4013 · Revenue - Sewer	106,133.24	103,870.03	2,263.21	2.18%
4018 · REVENUE- GRT HB 6	253.34	126.66	126.68	100.02%
4019 · REVENUE-Hold Harmless GRT	21,041.44	29,176.07	-8,134.63	-27.88%
4020 · REVENUE - GRT MUNICIPAL	107,948.70	132,562.48	-24,613.78	-18.57%
4025 · REVENUE -LIQUOR LICENSES	500.00	0.00	500.00	100.0%
4026 · REVENUE - BUSINESS LICENSE	2,670.00	1,305.00	1,365.00	104.6%
4027 · REVENUE - OTHER	23,431.88	500.00	22,931.88	4,586.38%
4028 · REVENUE - GASOLINE TAX	834.00	854.64	-20.64	-2.42%
4029 · REVENUE - LODGER'S TAX	57,061.21	23,341.95	33,719.26	144.46%
4031 · REVENUE - PARKING FINES	35.00	410.00	-375.00	-91.46%
4034 · REVENUE - MOTOR VEHICLE FEES	3,183.77	3,136.46	47.31	1.51%
4035 · REVENUE - BUILDING PERMITS	4,791.40	11,368.22	-6,576.82	-57.85%
4036 · REVENUE -Licenses/Permits Other	750.00	60.00	690.00	1,150.0%
4037 · REVENUE - GENERAL GRANTS	6,304.50	283,525.00	-277,220.50	-97.78%
4046 · REVENUE - SOLID WASTE FEE	14,776.25	12,650.43	2,125.82	16.8%
4047 · REVENUE - OTHER OPERATING	1,371.45	540.64	830.81	153.67%
4049 · REVENUE - FIRE GRANTS	106,403.50	50,950.40	55,453.10	108.84%
4058 · Plan Review Fees	400.73	1,797.52	-1,396.79	-77.71%
4061 · Bond Proceeds	454,115.50	0.00	454,115.50	100.0%
4100 · Miscellaneous Revenues				
4110 · Misc Revenue- TIDD reimburse	3,806.56	2,300.25	1,506.31	65.49%
Total 4100 · Miscellaneous Revenues	3,806.56	2,300.25	1,506.31	65.49%
4190 · Rental Fees	2,000.00	1,000.00	1,000.00	100.0%
7004 · REVENUE - FINANCE CHARGE ON W/S	492.28	401.73	90.55	22.54%
7005 · REVENUE - INTEREST INCOME	1,029.56	2,699.59	-1,670.03	-61.86%
7006 · REVENUE -INVESTMENT INTEREST	15.88	3,192.29	-3,176.41	-99.5%
7010 · REVENUE - AD VALOREM TAX	10,797.24	9,263.20	1,534.04	16.56%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
Total Income	956,881.30	701,000.15	255,881.15	36.5%
Gross Profit	956,881.30	701,000.15	255,881.15	36.5%
Expense				
6100 · Salary and Benefits				
6112 · SALARIES - STAFF	153,891.91	193,676.65	-39,784.74	-20.54%
6113 · SALARIES - ELECTED	5,252.28	6,565.35	-1,313.07	-20.0%
6114 · SALARIES - PART TIME	0.00	960.00	-960.00	-100.0%
6115 · Overtime salaries	173.20	436.35	-263.15	-60.31%
6121 · WORKER'S COMP INSURANCE	0.00	10,306.00	-10,306.00	-100.0%
6122 · HEALTH INSURANCE	35,371.20	34,672.36	698.84	2.02%
6125 · FICA EMPLOYER'S SHARE	9,670.75	12,317.14	-2,646.39	-21.49%
6127 · SUTA STATE UNEMPLOYEMENT	179.77	208.38	-28.61	-13.73%

VILLAGE OF TAOS SKI VALLEY
Profit & Loss Prev Year Comparison
July through August 2021

	<u>Jul - Aug 21</u>	<u>Jul - Aug 20</u>	<u>\$ Change</u>	<u>% Change</u>
6128 · PERA Employer Portion	14,620.34	18,048.45	-3,428.11	-18.99%
6130 · HEALTH INCENTIVE - SKI PASS/GYM	600.00	0.00	600.00	100.0%
6133 · Life Insurance	159.14	167.96	-8.82	-5.25%
6134 · Dental insurance	2,281.46	2,216.90	64.56	2.91%
6135 · Vision Insurance	400.70	391.38	9.32	2.38%
6136 · FICA -EMPLOYER SHARE MEDICARE	2,261.72	2,880.59	-618.87	-21.48%
Total 6100 · Salary and Benefits	224,862.47	282,847.51	-57,985.04	-20.5%
6220 · OUTSIDE CONTRACTORS	97,304.03	262,289.58	-164,985.55	-62.9%
6225 · ENGINEERING	2,064.92	59,083.10	-57,018.18	-96.51%
6230 · LEGAL SERVICES	10,150.49	20,621.89	-10,471.40	-50.78%
6242 · ACCOUNTING	1,792.53	2,353.03	-560.50	-23.82%
6251 · WATER PURCHASE, STORAGE	93.53	90.61	2.92	3.22%
6252 · INTERNET	1,423.68	0.00	1,423.68	100.0%
6253 · ELECTRICITY	12,003.77	14,649.85	-2,646.08	-18.06%
6256 · TELEPHONE	2,785.84	3,002.26	-216.42	-7.21%
6257 · RENT PAID	750.00	0.00	750.00	100.0%
6258 · WATER CONSERVATION FEE	76.20	51.04	25.16	49.3%
6259 · Natural Gas	571.52	296.90	274.62	92.5%
6270 · LIABILITY & LOSS INSURANCE	5,418.00	75,532.01	-70,114.01	-92.83%
6310 · Advertising	326.06	0.00	326.06	100.0%
6312 · CHEMICALS & NON DURABLES	2,421.97	41.94	2,380.03	5,674.85%
6313 · MATERIAL & SUPPLIES	9,803.00	19,210.61	-9,407.61	-48.97%
6314 · Dues/fees/registration/renewals	4,956.31	3,052.00	1,904.31	62.4%
6315 · BANK CHARGES	397.04	344.81	52.23	15.15%
6316 · Software	1,782.91	1,209.16	573.75	47.45%
6317 · Personal Protective Equipment	1,837.05	836.65	1,000.40	119.57%
6318 · Postage	165.00	428.12	-263.12	-61.46%
6320 · EQUIPMENT REPAIR & PARTS	0.00	5,755.07	-5,755.07	-100.0%
6322 · SMALL EQUIP & TOOL PURCHASES	0.00	129.12	-129.12	-100.0%
6323 · SYSTEM REPAIR & PARTS	1,618.50	0.00	1,618.50	100.0%
6331 · OUTSIDE TESTING SERVICES	1,938.43	0.00	1,938.43	100.0%
6417 · VEHICLE MAINTENANCE	4,023.05	1,849.69	2,173.36	117.5%
6418 · FUEL EXPENSE	2,952.43	2,502.20	450.23	17.99%
6432 · TRAVEL & PER DIEM	0.00	0.00	0.00	0.0%
6434 · TRAINING	1,903.46	-440.00	2,343.46	532.61%
6435 · Training Elected Officials	349.64	0.00	349.64	100.0%
6560 · Payroll Expenses	46.08	0.00	46.08	100.0%
6570 · Other Operations Expenses	2,611.39	2,751.19	-139.80	-5.08%
6712 · LAB CHEMICALS & SUPPLIES	731.98	0.00	731.98	100.0%
6716 · LAB TESTING SERVICES	1,653.03	295.72	1,357.31	458.99%
8322 · CAPITAL EXPENDITURES	0.00	0.00	0.00	0.0%
8428 · Debt Service GRT FY2020 repay	5,193.30	5,193.30	0.00	0.0%
8430 · USDA FY20 Interest Expense	23,423.79	0.00	23,423.79	100.0%
8431 · USDA FY20 Principal Expense	24,332.21	0.00	24,332.21	100.0%

VILLAGE OF TAOS SKI VALLEY
Profit & Loss Prev Year Comparison
July through August 2021

	<u>Jul - Aug 21</u>	<u>Jul - Aug 20</u>	<u>\$ Change</u>	<u>% Change</u>
Total Expense	451,763.61	763,977.36	-312,213.75	-40.87%
Net Ordinary Income	505,117.69	-62,977.21	568,094.90	902.06%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO FUND	-81,448.51	-538,921.81	457,473.30	84.89%
9002 · TRANSFER FROM FUND	81,448.51	538,921.81	-457,473.30	-84.89%
Total Other Expense	0.00	0.00	0.00	0.0%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	<u>505,117.69</u>	<u>-62,977.21</u>	<u>568,094.90</u>	<u>902.06%</u>

VILLAGE OF TAOS SKI VALLEY

GROSS RECEIPTS & LODGER'S TAX COLLECTION SUMMARY

Gross Receipts Tax
CURRENT RATE = 9.25%

GROSS RECEIPTS

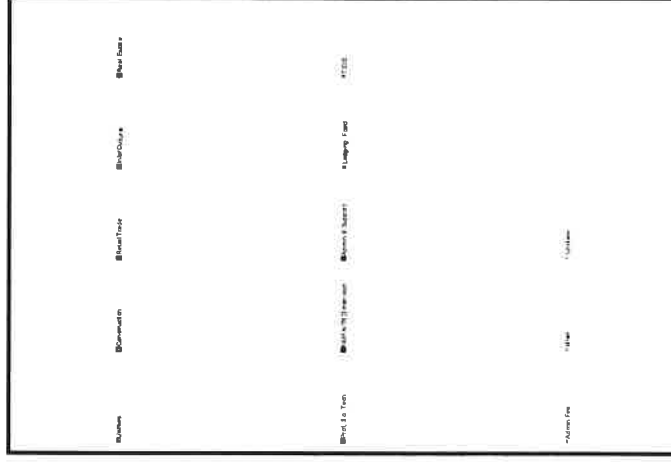
	July	August	September	October	November	December	January	February	March	April	May	June
FY 2011	\$31,002.86	\$62,982.96	\$26,127.83	\$33,610.96	\$60,913.74	\$74,949.02	\$42,282.39	\$171,246.82	\$139,053.09	\$142,336.03	\$154,287.41	\$27,928.23
YTD	\$31,002.86	\$93,985.82	\$120,113.65	\$153,724.61	\$214,638.35	\$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	\$1,390,383.39
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	\$29,884.17	\$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	\$29,884.17	\$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		\$83,775.61		\$88,409.53	\$146,106.99	\$125,934.38	\$319,335.98	\$239,931.17	\$274,561.13	\$264,594.35	\$36,980.50
YTD	\$73,181.77	\$73,181.77	\$156,957.38	\$156,957.38	\$245,366.91	\$391,473.90	\$517,408.28	\$836,744.26	\$1,076,675.43	\$1,351,236.56	\$1,615,830.91	\$1,652,811.41
FY2021	\$68,159.90	\$74,233.88	\$46,486.94	\$82,049.26	\$89,940.38	\$149,265.06	\$122,193.28	\$251,925.28	\$236,440.15	\$214,210.24	\$289,075.34	\$55,873.27
YTD	\$68,159.90	\$142,393.78	\$188,880.72	\$270,929.98	\$360,870.36	\$510,135.42	\$632,328.70	\$884,253.98	\$1,120,694.13	\$1,334,904.37	\$1,623,979.71	\$1,679,852.98
FY2022	\$68,717.19	\$41,194.60	\$84,767.28									
YTD	\$68,717.19	\$109,911.79	\$194,679.07	\$194,679.07	\$194,679.07	\$194,679.07	\$194,679.07	\$194,679.07	\$194,679.07	\$194,679.07	\$194,679.07	\$194,679.07

LODGERS' TAX

CURRENT RATE = 5% 7/01/04 thru Current the tax rate is 5%, 2/97 thru 6/04 tax rate was 4.5%

	July	August	September	October	November	December	January	February	March	April	May	June
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	\$69,819.08	\$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	\$73,083.69	\$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	\$308,070.36	\$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	\$23,176.76	\$18,926.00	\$18,538.79	\$15,121.36	\$16,682.78	\$100,415.47	\$111,589.79	\$111,413.82	\$68,226.73	\$472.24	-\$453.54
YTD	\$9,107.40	\$32,284.16	\$51,210.16	\$69,748.95	\$84,870.31	\$101,553.09	\$201,968.56	\$313,558.35	\$424,972.17	\$493,198.90	\$493,671.14	\$493,217.60
FY2021	\$8,171.37	\$15,170.58	\$12,836.91	\$17,194.52	\$14,423.38	\$6,231.96	\$55,290.11	\$42,558.56	\$84,760.20	\$96,555.93	\$10,267.66	\$7,219.30
YTD	\$8,171.37	\$23,341.95	\$36,178.86	\$53,373.38	\$67,796.76	\$74,028.72	\$129,318.83	\$171,877.39	\$256,637.59	\$353,193.52	\$363,461.18	\$370,680.48
FY2022	\$18,245.95	\$38,815.26										
YTD	\$18,245.95	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21	\$57,061.21

Category	Expenditure
Construction	69,488.47
Real Estate	9,102.86
Retail Trade	9,130.10
Info/Cultural	911.12
Prof. Sci. Tech	1,0314.56
NMFA/TRD Intercept	8360.12
Admin & Support	1,662.93
Lodging, Food	23,085.86
TIDD	-32,826.02
Admin Fee	-1,934.12
Unclass	710.30
Utilities	3261.44
other	219.90



FY2022 TIDD GRT Distribution

Date	VTSV Increment	State Increment	Admin Fees	Pay Backs	Total TIDD	NMFA & DS Offsets	Hold Harmless GRT	VTSV Cash Received/with HH GRT (NOT offset)
7/15/2020	33,001.75	26,100.24	(470.56)		58,631.43	8,360.12	10,955.34	68,159.90
8/15/2020	91,310.13	72,214.82	(1,301.95)		162,223.00	8,360.12	17,351.58	74,233.88
9/15/2020	4,754.39	3,760.14	(67.80)		8,446.73	8,360.12	5,914.84	46,486.94
10/15/2020						8,360.12	9,054.12	82,049.26
11/15/2020	41,033.88	32,452.60	(585.07)	(5,287.34)	67,614.07	8,360.12	13,955.88	89,940.88
12/15/2020	42,857.41	33,894.84	(611.07)		76,141.18	8,360.12	20,107.93	149,265.05
1/15/2021	25,691.54	19,586.12	(366.32)		45,643.98	8,360.12	15,674.26	122,193.28
2/16/2021	20,570.43	16,268.94	(293.30)		36,546.07	8,360.12	28,223.93	251,925.28
3/22/2021	35,997.19	28,455.45	(677.71)		63,774.93	8,360.12	25,921.01	236,440.00
4/20/2021	16,939.11	13,542.64	(316.75)		30,165.00	8,360.12	23,486.48	214,210.24
5/15/2021	9,444.65	7,470.15	(177.75)		16,737.05	8,360.12	31,704.13	289,075.34
6/16/2021	38,058.81	30,658.74	(708.42)		68,009.13	8,360.12	6,105.71	55,823.77
TOTAL FY21	359,659.29	284,404.68	(5,576.70)	(5,287.34)	633,932.57	100,321.44	208,455.21	1,679,803.82
7/15/2021	22,594.97	17,869.77	(425.27)		40,039.47	8,360.12	10,081.12	68,717.19
8/15/2021	22,292.78	36,146.76	(413.32)		58,026.22	8,360.12	10,960.32	41,194.66
9/15/2021	32,826.02	51,922.38	(617.83)		84,130.57	8,360.12	13,044.53	84,767.28
10/15/2021								
11/15/2021								
12/15/2021								
1/15/2022								
2/16/2022								
3/22/2022								
4/20/2022								
5/15/2022								
6/16/2022								
TOTAL FY22	77,713.77	105,938.91	(1,456.42)	-	182,196.26	25,080.36	34,085.97	194,679.13
TOTAL FY2016-FY2022	4,394,244.90	3,503,120.29	(65,288.94)	(80,952.08)	7,751,856.81	400,456.65	949,804.46	9,615,450.33

Village Baseline

Month GRT is Generated	Month GRT is Reported to State	Mth GRT is distributed fr State to Entities	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	93,353.53	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

Monthly Public Safety Report

Aug-21

R. Salazar

V. Vigil

S. Trujillo

Totals

Law Enforcement

911 Hang Up

Alcohol Offense - Adult

Animal Calls

Arrests

Assists to other Agencies

B & E / Burglary

Battery or Assault

Business Alarm

Citizen Assists/Contacts

Civil Stand-by/Civil Complaint

Disorderly /Disturbance

Domestic Calls

Suicide subject

Foot Patrol Hours

Found/Lost Property

Fraud Complaint

Harassment

Larceny

Law Unknown/Information

Missing Adult/Person

MVC's

Narcotics Adult

Parking Citations

Private Property Crash

Property Damage

Reckless Driver

Residential Alarm

Shots Fired

Suspicious Persons/Vehicles

Theft

Traffic Enforcement Hours

Traffic Hazard

Traffic Stops

Tresspass Warnings

Unattended Death

Vehicle Alarm

Vehicle Theft

Verbal Warnings

Welfare Check

Written Citations

Written Warnings

Fire Alarm

Fire Calls

Fire/EMS

SAR

1

2

3

1

2

18

1

23

1

1

1

1

20

2

3

1

3

3

2

3

1

1

1

2

1

12

1

7

1

1

1

15

1

5

5

1

1

1

1

4

6

1

3

45

1

58

1

2

1

1

2

8

63

3

14

1

1

12

4

8

3

2

1

Report for Taos Ski Valley Fire Rescue

Month of August

Calls

- Fire Calls
 - 2 Fire/CO alarm
 - 1 Elevator Rescue
 - 1 Sign of Smoke
- EMS/SAR
 - 1 EMS Call
 - 1 Citizen Assist/ Dog Rescue
 - 1 SAR at Wheeler Peak Trail

Total of 7 calls for the month of January

Total calls year to date are 70

Inspections performed residential: 22

Inspection in response to complaint: 0

Enforcement actions: 0

Inspections performed multi-family and commercial: 15

Permits issued since last council meeting:

0_ new residential building.

3_ residential repair/remodel

0_ residential demolition

0_ new commercial buildings permitted.

2_ commercial or multifamily repair/remodel permitted.

0_ demolition commercial permitted.

2_ Projects currently in application or submission review.

Narrative of other activities:

1. Layout of location for hiker toilet in Hiker Parking. Marked for pending utility spotting and excavation.
2. Continuing education seminar with Northern New Mexico Association of Public Safety Officials. Existing Building Code, Cannabis Facilities, Fire Retardant Treated Wood and Fire Sprinkler Issues and Updates were the seminars attended.
3. Conferred with potential contractors for minor general exterior repairs to Village Complex apartment buildings.
4. Performed some minor cleanup tasks at Village Complex and secured supplies for additional actions.
5. Participated with Firewise Board meetings and communicated information to District Forest Supervisor regarding NFL grant. Currently awaiting receipt of MOU with State for administration of the NFL Grant.

Planning & Community Development Department
Monthly Report to the Village Council
September 2021

Projects Updates and Key Initiatives:

Twining Road Reconstruction Project - Preliminary engineering and design (30%) completed. Survey 90% completed. Successfully granted \$100,000 to complete final design and engineering from 2021 Legislative Capital Outlay request supported by Rep. K. Ortiz. Formal Grant Agreement just received and now to be considered for acceptance at the September VC meeting. Intent remains to have all engineering and design work completed by Spring of 2022.

Initial request for \$3.75M for reconstruction, through the newly established Local Government Road Fund, was not selected for funding this program year. Although the project was ranked 2nd overall through the North Central Regional Transportation Planning Organization.

Water Plan Report - Project has evolved into a collaboration effort between TSVI and the Village. Draft report completed and currently under Village staff review. New report will provide a concise summary of VTSV's water supply across time and various expected climatic conditions and the projected water demand into the near future. This report will lead into a much larger water infrastructure plan update next year. The short summary report will help guide land use planning and development decision making.

AmeriCorps Program Coordination - The Village has accepted an invitation to host an AmeriCorps Member during the 2021-22 program year. Beginning September 29th until late August next year, Scotney P. will be assisting the Village Park & Recreation Committee on numerous tasks and activities such as trail building, signage, special events, and community outreach. In addition, she'll be supporting the FireWise Committee on wildfire mitigation measures and Village-wide property fire hazard assessments.

Development Impact Fees Updated Study - After the Special Village Council Meeting on September 9, at which an Amended and Restated Resolution on Land Use Assumptions (LUA) was considered, a few modest adjustments were made. The Village Council had previously adopted its updated LUA at its March 23rd meeting. Pending Council direction, the Amended and Restated Resolution on Land Use Assumptions will be considered at the September meeting. None of the other required work on updating the Development Impact Fees Ordinance will proceed, as staff awaits Council direction.

Avalanche Hazard Assessment & Mapping Update - A detailed review and report to update the village's avalanche hazard maps and the existing avalanche hazard zoning ordinance. The existing avalanche hazard maps are based on a 2001 Study by Arthur I. Mears, P.E. Since 2001, notable advances in avalanche science and new snow and avalanche data will lead to improvements in the Village's understanding and better land use regulations to protect the public's health, safety, and welfare. The Update continues to be delayed due to procurement issues. Necessary fieldwork now unlikely to be completed prior to snowfall. Project to be resumed next Spring.

Planning GIS Office - Task/project work ongoing including continued coordination on E911 NexGen Compliance and address updating, Underground Electric in Amizette, Village public roads inventory and map, staff training on GIS functionality and to improve workflow efficiency, and wildland fire rating system development.

Planning Commission Meetings - Next meeting scheduled for October 4th. Tentative agenda includes a rezoning application between the Rio Hondo and Bull of the Woods Road.

PUBLIC WORKS UPDATE

August 24, 2021

- Water:

- Monthly sampling
- Water Sold
 - Total 535,480 gallons
 - Residential 106,970 gallons
 - Commercial 428,510 gallons
- Installing water line to the Kachina Tank located behind the Phoenix Grill.
 - Will supply water to two fire hydrants, Wheeler Peak Condos, Phoenix Grill and Mountain Wilderness Cabin on Blue Jay Ridge.
- NMED Sampling:
 - Lead and Copper
- Continuing to work with NM Rural Water Association on leak detection

- Wastewater:

- Compliance report for August 2021
 - Compliance – No issues to report.

Date	BOD Data		pH	TSS		NH ₃ (Ammonia)		Total P		Flow, MGD		E.Coli	Fecal	Date	Total N: mg/L	Total N: lb/d
	mg/L	lb/d		mg/L	lb/d	mg/L	lb/d	mg/L	lb/d	Daily	Weekly Average	CFU	CFU		TKN + NO ₃ + NO ₂	TKN + NO ₃ + NO ₂
4	2.00	0.81	7.16	0.13	0.05	0.42	0.17	0.05	0.02	0.048	0.042			4	2.83	1.14
5			7.10							0.041		1.00	1.00	5	0.00	0.00
18			7.37							0.051		1.00	1.00	18	0.00	0.00
Total		0.81			0.05		0.17		0.02	1.269	0.196			Total	Total Nitrogen	
7 Day Avg (MAX)	2.00	0.81	7.45	0.13	0.05	0.42	0.17	0.05	0.02	0.041	0.039	1.00	1.00	7 Day Avg	2.83	1.14
Min	2.00	0.81	7.02	0.13	0.05	0.42	0.17	0.05	0.02	0.008	0.025	1.00	1.00	Min	mg/L	lb/d
30 Day Avg (AVG)	2.00	0.81		0.13	0.05	0.42	0.17	0.05	0.02	0.041	0.039	1.00	1.00	30 Day Avg	2.83	1.14
161.00		98.76	237.00		99.95											

- Plant and Collections Update
 - Working on flushing the steel equalization tank
 - Isolated and flushing solids out of the tank
 - Compared to the flow in 2020, we are up 36.5% for the month of July
 - Sludge drying process with centrifuge
 - New plan sent to NMED for review to allow the Village to send our sludge to the Taos Regional Landfill
 - Cost savings would include shipping costs and tipping fees

- Roads:

- Maintaining drainage along the roadway
 - Cleaning of the Drop Inlets (DI's) and bar ditch maintenance
- Blading of roadway and potholes
 - Upper Twining Road
- Screening of raw material for road projects

- Equipment

- Routine equipment maintenance

- General Public Work tasks

- Housekeeping in the buildings
- Correcting drainage around the Wastewater Treatment Plant
- Site visits on proposed water, sewer, and gas services
- Site visits on proposed excavation sites
- Sited in the location for the Hiker Parking toilet unit
- NMWWA operating training – Adam Romero

Permit Permit #: NM0022101 Major: Yes		Permittee: Permittee Address: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. 38 OCEAN BLVD. TAOS SKI VALLEY, NM 87525		Facility: Facility Location: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. TAOS SKI VALLEY, NM 87525											
Permitted Features: 001 External Outfall		Discharge:													
Report Dates & Status Monitoring Period: From 08/01/21 to 08/31/21 Considerations for Form Completion		DMR Due Date: 09/15/21		Status: NotDMR Validated											
Principal Executive Officer First Name: Anthony Last Name: Martinez		Title: Public Works Director		Telephone: 575-766-9220											
No Data Indicator (NODI)															
Form NODI:															
Code	Parameter Name	Monitoring Location	Season #	Param. NODI	Qualifier 1	Quantity or Loading Qualifier 2	Value 1	Qualifier 3	Value 2	Qualifier 4	Value 3	Units	# of E's	Frequency of Analysis	Sample Type
00310	BOD, 5-day, 20 deg. C	1 - Effluent Gross	1	-	Sample Permit Req. Value NODI	0.81 = 23.8 30DA AVG	0.81 = 35.7 7 DA AVG	26 - 26 - 26 -	2.0 = 30.0 30DA AVG	2.0 = 45.0 7 DA AVG		19 - mg/L	0	01/30 - Monthly	24 - COMP24
00400	pH	1 - Effluent Gross	0	-	Sample Permit Req. Value NODI		7.02 = 6.6 MINIMUM	26 - 26 - 26 -		7.45 = 8.8 MAXIMUM		12 - SU	0	05/DW - 5 Days Every Week	GR - GRAB
00530	Solids, total suspended	1 - Effluent Gross	1	-	Sample Permit Req. Value NODI	0.05 = 23.8 30DA AVG	0.05 = 35.7 7 DA AVG	26 - 26 - 26 -	0.13 = 30.0 30DA AVG	0.13 = 45.0 7 DA AVG		19 - mg/L	0	01/30 - Monthly	24 - COMP24
00600	Nitrogen, total [as N]	1 - Effluent Gross	2	-	Sample Permit Req. Value NODI	1.14 = 27.7 30DA AVG	1.14 = 41.6 7 DA AVG	26 - 26 - 26 -	2.83 = 16.6 30DA AVG	2.83 = 24.9 7 DA AVG		19 - mg/L	0	01/30 - Monthly	24 - COMP24
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	1	-	Sample Permit Req. Value NODI	0.17 = 5.34 30DA AVG	0.17 = 5.34 7 DA AVG	26 - 26 - 26 -	0.42 = 3.2 30DA AVG	0.42 = 3.2 7 DA AVG		19 - mg/L	0	01/30 - Monthly	24 - COMP24
00685	Phosphorus, total [as P]	1 - Effluent Gross	2	-	Sample Permit Req. Value NODI	0.02 = 1.2 30DA AVG	0.02 = 1.6 7 DA AVG	26 - 26 - 26 -	0.05 = 1.5 30DA AVG	0.05 = 2.25 7 DA AVG		19 - mg/L	0	01/30 - Monthly	24 - COMP24
50050	Flow, in conduit or thru treatment plant	1 - Effluent Gross	0	-	Sample Permit Req. Value NODI		0.041 = Req Mon 30DA AVG	0.039 = Req Mon 7 DA AVG		0.041 = Req Mon DAILY MX		03 - MGD	0	01/01 - Daily	TM - TOTALZ
50060	Chlorine, total residual	1 - Effluent Gross	0	-	Sample Permit Req. Value NODI					18.0 INST MAX		28 - ug/L		05/DW - 5 Days Every Week	GR - GRAB
51040	E. coli	1 - Effluent Gross	0	-	Sample Permit Req. Value NODI					9 - Conditional Monitoring - Not Required This Period		32 - CFU/100mL	0	02/30 - Twice Per Month	GR - GRAB

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: PUBLIC HEARING: Consideration to Approve **Amended and Restated Resolution No. 2021-469** Adopting the 2021 Development Impact Fees Land Use Assumptions

DATE: Sept 28, 2021

PRESENTED BY: John Avila, Village Administrator, and Patrick Nicholson, Director of Planning & Community Development

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended due to statutory deadlines and Public Hearing Schedule

BACKGROUND INFORMATION:

The Village of Taos Ski Valley has been working on updating development impact fees and related water and sewer system development fees, through adoption of an amended development impact fees ordinance. The Village adopted Updated Land Use Assumption (LUA) on March 23, 2021. On-going review and analysis since adoption suggest modest adjustments to the LUA would be beneficial.

The Village's actions are regulated by the New Mexico Development Fees Act, NMSA 1978, Section 5-8-1 *et. seq.* (the Act), which establishes specific procedures for municipalities and counties to impose development impact fees. As part of the required update to the Village's development impact fees, Council adoption of Land Use Assumptions are a necessary prerequisite for future adoption of revised development impact fees and related ordinances under the Act.

The Land Use Assumptions will partially serve as the basis for projecting the demand for capital improvements or facility expansions that will be needed to serve anticipated future growth in the Village during this ten-year period and provide an understanding of probable population, job growth, and projected land uses.

As directed by the Act, the Village Council recently-established Capital Improvement Advisory Committee (CIAC) has reviewed the Land Use Assumptions at public meetings on December 10, 2020, January 20, 2021, February 10, 2021, and subsequent meetings, and recommends their approval.

RECOMMENDATION: Staff recommends approval of **Amended and Restated Resolution No. 2021-469** as a required prerequisite for future adoption of revised development impact fees and related ordinances under the New Mexico Development Fees Act.

**VILLAGE OF TAOS SKI VALLEY
AMENDED AND RESTATED
RESOLUTION NO. 2021-469**

A RESOLUTION OF THE VILLAGE OF TAOS SKI VALLEY ADOPTING THE 2021 DEVELOPMENT IMPACT FEES LAND USE ASSUMPTIONS AS NECESSARY TO UPDATE THE VILLAGE'S PREVIOUS LAND USE ASSUMPTIONS AND DEVELOPMENT IMPACT FEES, AS REQUIRED BY THE STATE OF NEW MEXICO'S DEVELOPMENT FEES ACT, NMSA 1978, SECTIONS 5-8-1 THROUGH 5-8-43.

WHEREAS, the State of New Mexico enacted the Development Fees Act (the Act), NMSA 1978, Sections 5-8-1 to -43 to enable local governments to adopt development impact fees; and

WHEREAS, the Act requires a periodic update of the development impact fees Land Use Assumptions and Capital Improvements Plan at least every five (5) years; and

WHEREAS, the Village of Taos Ski Valley (the Village) is authorized to adopt development impact fees in accordance with the Act, and to amend and revise existing development impact fees in order to address new development and related impacts on capital improvements and facilities expansions; and

WHEREAS, the Village's Land Use Assumptions are a required prerequisite for adoption of revised development impact fees and related ordinances under the Act;

WHEREAS, the Land Use Assumptions will serve as the basis for projecting the demand for capital improvements or facility expansions that will be needed to serve anticipated future growth in the Village during this period; and

WHEREAS, an understanding of probable population, job growth, and projected land uses, as described in the Land Use Assumptions will help the Village to accurately develop a revised Capital Improvements Plan, under which amended development impact fees may be imposed, as set forth in the Act; and

WHEREAS, the Village Council originally adopted Land Use Assumptions by Resolution on March 23, 2021, but wishes to amend and restate them as set forth herein; and

WHEREAS, the Capital Improvement Advisory Committee (CIAC) has reviewed the Land Use Assumptions at public meetings on December 10, 2020, January 20, 2021, February 10, 2021, and subsequent meetings and has recommended their approval; and

WHEREAS, the Village has met all public notice and hearing requirements for adoption of the Land Use Assumptions, as set forth in the Act.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL AND GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY AS FOLLOWS:

THE VILLAGE OF TAOS SKI VALLEY HEREBY ADOPTS THE 2021 DEVELOPMENT IMPACT FEES LAND USE ASSUMPTIONS, attached hereto as Exhibit A - revised, to amend and replace any previously adopted Land Use Assumptions and as a basis for adoption of revised development impact fees.

PASSED, APPROVED, and ADOPTED this ____ day of SEPTEMBER, 2021.

Christof Brownell, Mayor

**Attest: Ann Marie Wooldridge,
Village Clerk**

Exhibit A-1: Land Use Assumptions

	2020	2030	Increase
<i><u>Residential Dwelling Units</u></i>			
Single Family Dwelling Units ¹	140	180	40
Multifamily Dwelling Units ²	335	445	110
Total	475	625	150
<i><u>Employment</u></i> ³			
Commercial	447	747	300
Commercial Building Square Feet (1,000s) ⁴	241	348	107
Lodging (Hotel Rooms)	210	385	175
Residents/Overnight Visitors ⁵			
Single Family	50	65	14
Multifamily	137	182	45
Hotels	95	173	79
Total	282	421	138

¹ Base year dwelling unit estimate from GIS data. Increase assumes 4 single family dwelling units per year.

² Multifamily units include apartments, condominiums, and worker housing.

³ Estimate of 489 total workers less 42 local government workers based on data from OnTheMap.ces.census.gov. Increase in employment assumes 30 permanent FTE added per year through 2030.

⁴ Existing building square footage identified by the Village's GIS analysis. Excludes hotels and accommodations. Increase in building square footage assumed to remain constant relative to non-accommodations employment.

⁵ Residents/overnight visitors calculated using dwelling unit and lodging room counts above and occupancy density factors from Table 2.2.

Sources: Village of Taos Ski Valley; U.S. Census Bureau LEHD Origin-Destination Employment Statistics (2018) accessed at <https://onthemap.ces.census.gov>; Willdan Financial Services.

Exhibit A-2: Occupant Density Assumptions

Residential

Single Family ¹	0.36	Residents and Visitors per Unit
Multifamily ¹	0.41	Residents and Visitors per Unit

Nonresidential²

Commercial	1.17	Employees per 1,000 square feet
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Visitor Accommodations

Hotels ¹	0.45	Visitors per Unit
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¹ Average residents and visitors per unit per day calculated based on water billing records, and the assumption of 80 gallons of water consumed per capita per day.

² Assumes businesses are operated for half of the year.

Sources: Village of Taos Ski Valley; ITE Trip Generation Manual, 10th Edition; Willdan Financial Services.

Land Use Assumptions presented on 9/9/2021

	2020	2030	Increase
<i><u>Residential Dwelling Units</u></i>			
Single Family Dwelling Units ¹	184	224	40
Multifamily Dwelling Units (Apartments, Condos)	189	299	110
Total	373	523	150
<i><u>Employment²</u></i>			
Commercial	447	747	300
Nonresidential Building Square Feet (1,000s) ³	283	409	126
Lodging (Hotel Rooms)	234	409	175
<i><u>Residents/Overnight Visitors⁴</u></i>			
Single Family	67	82	15
Multifamily	86	136	50
Hotels	138	241	103
Total	291	459	168

¹ Base year dwelling unit estimate from GIS data. Increase assumes 4 single family dwelling units per year.

² Estimate of 489 total workers less 42 local government workers based on data from OnTheMap.ces.census.gov. Increase in employment assumes 30 permanent FTE added per year through 2030.

³ Existing building square footage identified by the Village's GIS analysis. Excludes hotels and accommodations. Increase in building square footage assumed to remain constant relative to non-accommodations employment.

⁴ Residents/overnight visitors calculated using dwelling unit and lodging room counts above and occupancy density factors from Table 2.2.

Sources: Village of Taos Ski Valley; U.S. Census Bureau LEHD Origin-Destination Employment Statistics (2002-2015) accessed at <https://onthemap.ces.census.gov>; Willdan Financial Services.

Current Land Use Assumptions adopted by Village Council on March 23, 2021

	2019	2030	Increase
<u>Residents¹</u>	95	111	16
<u>Dwelling Units²</u>			
Single Family	215	255	40
Multifamily	<u>169</u>	<u>279</u>	<u>110</u>
Total	384	534	150
<u>Employment³</u>			
Commercial	563	851	288
Office	<u>24</u>	<u>36</u>	<u>12</u>
Total	587	887	300
<u>Nonresidential Building Square Feet (1,000s)⁴</u>	151	228	77
<u>Hotel Rooms</u>	235	410	175
<u>Overnight Visitors⁵</u>	323	551	228

¹ Existing residents from American Community Survey data. Increase in residents based on increase in single family dwelling units, multiplied by dwelling unit density assumptions in Table 2.2. Assumes that multifamily units are primarily lodging/accommodations and do not house permanent residents.

² Base year dwelling unit estimate from ACS data. Increase assumes 4 single family dwelling units per year and 11 multifamily units per year from 2020 to 2030.

³ Estimate of 608 total workers less 21 local government workers based on data from OnTheMap.ces.census.gov. Increase in employment assumes 30 permanent FTE added per year through 2030.

⁴ Existing building square footage identified by the Village's GIS analysis. Excludes hotels and accommodations. Increase in building square footage assumed to remain constant relative to employment.

⁵ Assumes an occupancy rate of 40% and two visitors per unit. Applies to hotel rooms and multifamily units.

Sources: American Community Survey Table B25033; U.S. Census Bureau LEHD Origin-Destination Employment Statistics (2002-2015) accessed at <https://onthemap.ces.census.gov>; Willdan Financial Services.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Allowing the Taos Post Office to move the Installation of Mailboxes from NM 150 Mile Marker 7 outside the Village Boundary to the Village Complex lower parking lot at 1346 NM 150

DATE: September 28, 2021

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: Old Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Taos US Postal Office recently contacted Mayor Brownell to advise that Post Office cluster mailboxes had been permitted by the NM Department of Transportation and that the Taos Post Office is ready to install those boxes at Mile Marker 7 NM 150.

The Taos Postmaster gave October as the time frame for address change notification from the USPS to PO Box holders of the requirement to use a home address and get delivery at NM 150 Mile Marker 7 cluster boxes. The Village can still allow the USPO to install the boxes at the Village Complex, 1346 NM 150, within the Village.

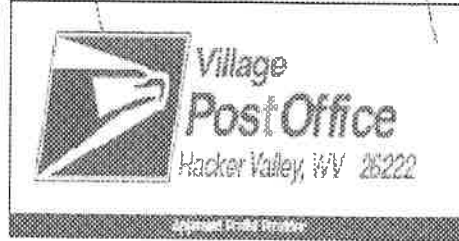
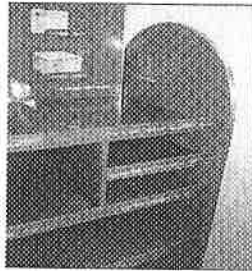
It was understood that negotiation for a Post Office site was in the works with TSVI and the Denver Region Leasing Agent, however termination of the contract with Mario Vigil stopped chances of having the current Contract Postal Unit (CPU), Box Canyon, moved to another site. The termination of CPU service is pending for the end of the year. Without the CPU agreement, the PO Box addresses will change to home addresses, with delivery to occur at a set of cluster boxes.

Offering to house the CPU in a Village structure won't be considered now because there is no CPU agreement currently in place. According to the Taos Postmaster, a CPU agreement can be considered later, but the PO Box addresses are still going to be changed at this point.

STAFF RECOMMENDATION:

Staff recommends that Council approve installation of the mailboxes at 1346 NM 150 Village Complex parking lot so as to avoid placement at NM 150 Mile Marker 7, and to allow the Village Administration to be part of negotiation with the USPS to reestablish a Contract Postal Unit agreement for service in the Village of Taos Ski Valley.

A Post Office in Your Business?



As a member of the business community, you can take advantage of a unique income opportunity. The U.S. Postal Service is seeking to form a partnership with a retailer or business owner who is interested in providing **Taos Ski Valley, NM 87525** access to limited postal products and services. Establishing a Village Post Office preserves the Communities Name and Zip Code identity.

As a USPS Village Post Office, you provide space for a Priority Mail packaging display, sell stamp booklets and Priority Mail Flat Rate product at Postal Service prices.

The USPS provides and exterior sign that will draw foot traffic into your business. Many customers who come into your business to purchase stamps and mail packages often purchase other items offered in your store. You will benefit from increased business sales and new customers.

If you are interested in this opportunity, please return this form to the address shown below or stop in and speak with the Taos, NM Postmaster **by no later than 10/8/2021**. Additional information will be provided to interested business owners that respond.

Yes, I would like more information on this exciting venture . . .

Contact Name:	
Name/Type of Business:	
Address:	
City/State/ZIP Code:	Phone:

TAOS POSTMASTER
318 PASEO DEL PUEBLO NORTE
TAOS, NM 87571-9998

VILLAGE OF TAOS SKI VALLEY

Village Council

Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Resolution No. 2022-485 Requesting a Permanent Budget Adjustment to the FY2022 Budget (BAR) Acknowledging the Proceeds from the NMFA Loan and Corresponding Expense to the Fire Protection Fund (18) for Purchase of New Fire Equipment and including the Initial NMFA Interest-only Loan Payment into the Budget

DATE: September 28, 2021

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village submitted its fiscal year 2021-22 budget in July of 2021. Since the NMFA loan for fire equipment was scheduled to close on July 30, 2021, and the numbers were not finalized at the time of the budget submission, this loan was not included in the original FY2022 budget.

The loan has closed, and the following will be added to the FY2022 budget:

<u>FUND</u>	<u>ACCOUNT/DESCRIPTION</u>	<u>AMOUNT</u>
18/20900 Fire Protection	4059/46900 NMFA Issue Debt	(\$454,115.50)
18/20900 Fire Protection	8325/58020 Equipment	\$454,115.50
18/20900 Fire Protection	8433/59020 NMFA Interest D/S	\$ 1,941.89

RECOMMENDATION: Staff recommends approval of Resolution No. 2022-485 to amend the budget for FY2022, adding the NMFA loan proceeds and corresponding equipment expense; and including the initial interest only loan payment to NMFA into the Fire Protection Fund (18) budget.

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION No. 2022-485**

A RESOLUTION REQUESTING A PERMANENT BUDGET ADJUSTMENT TO THE FY2022 BUDGET (BAR) ACKNOWLEDGING THE PROCEEDS FROM THE NMFA LOAN AND CORRESPONDING EXPENSE TO THE FIRE PROTECTION FUND (18) FOR THE PURCHASE OF NEW FIRE EQUIPMENT AND INCLUDING THE INITIAL INTEREST ONLY LOAN PAYMENT TO NMFA INTO THE BUDGET

WHEREAS, it is hereby resolved that the Village of Taos Ski Valley having met in a regular meeting on September 28, 2021 proposes to make an adjustment to the Fiscal 2021-2022 budget as follows:

<u>FUND</u>	<u>ACCOUNT/DESCRIPTION</u>	<u>AMOUNT</u>
18/20900 Fire Protection	4059/46900 NMFA Issue Debt	(\$454,115.50)
18/20900 Fire Protection	8325/58020 Equipment	\$454,115.50
18/20900 Fire Protection	8433/59020 NMFA Interest D/S	\$ 1,941.89

WHEREAS, at the regular meeting of the Village of Taos Ski Valley Governing body on September 28, 2021, it considered adjustments to its budget for the Fiscal Year 2021-2022; and

WHEREAS, said budget was developed based on need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meetings for the review of said documents were duly advertised and posted in compliance with the State of New Mexico Open Meetings Act; and

WHEREAS, it is the majority opinion of this Council that the proposed budget adjustments meets the requirements as currently determined for Fiscal Year 2021-2022.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the Village of Taos Ski Valley, State of New Mexico hereby approves, authorizes, and directs that the Village of Taos Ski Valley budget for Fiscal Year 2021-2022 be amended accordingly.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2021.

THE VILLAGE OF TAOS SKI VALLEY

By: _____
Christof Brownell, Mayor

(Seal)

ATTEST:

Ann M. Wooldridge, Village Clerk

VOTE: For _____ Against _____

VILLAGE OF TAOS SKI VALLEY

Village Council

Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Resolution 2022-487 for NMDOT Agreement and Assign Designee to Sign Agreement for Project ID F3066 NMDOT C5213066 to Acquire Rights of Way and to Design and Improve Twining Road

DATE: September 28, 2021

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Village of Taos Ski Valley had applied and received Capital Outlay funding for planning

The funding agreement for \$100,000 requires Council authorization for the Mayor to sign and also name the designated individual, the Village Administrator, to sign the agreement documentation.

STAFF RECOMMENDATION: Staff recommends approval of Resolution 2022-487 assigning the Mayor to sign the funding agreement to accept the FY2022 \$100,000 capital outlay to acquire rights of way and to design and improve Twining road in Taos Ski Valley, and to allow the Village Administrator to sign grant documents.

VILLAGE OF TAOS SKI VALLEY

RESOLUTION NO. 2022-487

**A RESOLUTION AUTHORIZING THE AGREEMENT AND ASSIGNMENT OF
AUTHORIZED OFFICER(S) AND AGENT(S) TO ENTER INTO AGREEMENT FOR
CAPITAL APPROPRIATIONS PROJECT ID F3066 NMDOT C5213066**

WHEREAS, the Village Council of Taos Ski Valley of Taos County of the State of New Mexico shall enter into a Grant Agreement with the State of New Mexico Department, and;

WHEREAS, the Agreement is identified as Project ID F3066 NMDOT C521306;

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY AS FOLLOWS: that Christof Brownell, Mayor, or successor is authorized to sign the Grant Agreement for this project, and Authorized John Avila, Village Administrator, or successor is the OFFICAL REPRESENTATIVE or ALTERNATE OFFICAL REPRESENTATIVE who is authorized to sign all other documents necessary to fulfill the Grant Agreement and the requirements and to act as the project contact and the same , or successor is the Capital Projects Monitoring System (CPMS) contact who is authorized to update the CPMS database on a monthly basis.

ADOPTED THIS 28 DAY OF SEPTEMBER 2021.

Mayor Christof Brownell

ATTEST:

Ann Marie Wooldridge
Village Clerk

Contract Number: _____
Vendor Number: 0000052151
Control Number: C5213066

**STATE OF NEW MEXICO
DEPARTMENT OF TRANSPORTATION
FUND 89200 CAPITAL APPROPRIATION PROJECT**

THIS AGREEMENT is made and entered into as of this ____ day of _____, 20 __, by and between the Department of Transportation, hereinafter called the "Department" or abbreviation such as "NMDOT", and Village of Taos Ski Valley, hereinafter called the "Grantee". This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the Laws of 2021, Chapter 138, Section 33, Subsection 107, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, pursuant to the NMSA 1978, Section 67-3-28, as amended, and State Highway Commission Policy No. 44, the Department has the authority to enter into this Grant Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows:

DFA Appropriation ID F3066 NMDOT Control Number C5213066 **\$100,000**

APPROPRIATION REVERSION DATE: 6/30/2025

Laws of 2021, Chapter 138, Section 33, Subsection 107, One Hundred Thousand Dollars and No Cents (\$100,000), to acquire rights of way and to design and improve Twining road in Taos Ski Valley in Taos county; .

The Grantee's total reimbursements shall not exceed One Hundred Thousand Dollars and No Cents \$100,000 (the "Appropriation Amount") minus the allocation for Art in Public Places ("AIPP amount")¹, if applicable,

¹ The AIPP amount is "an amount of money equal to one percent or two hundred thousand dollars (\$200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000)." Section 13-4A-4 NMSA 1978.

Zero Dollars and Zero Cents (\$ 0.00), which equals One Hundred Thousand Dollars and No Cents (\$100,000) (the "Adjusted Appropriation Amount").

In the event of a conflict among the Appropriation Amount, the Reversion Date, as defined herein and/or the purpose of the Project, as set forth in this Agreement, and the corresponding appropriation language in the laws cited above in this Article I(A), the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I(A) is referred to collectively throughout the remainder of this Agreement as the "Project Description." Optional Attachment A sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Optional Attachment A imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment A shall prevail, in the event of irreconcilable conflict. The Grantee shall reference the Project's number in all correspondence with and submissions to the Department concerning the Project, including, but not limited to, Requests for Payment and reports.

ARTICLE II. LIMITATION ON DEPARTMENT'S OBLIGATION TO MAKE GRANT DISBURSEMENT TO GRANTEE

A. Upon the Effective Date of this Agreement, for permissible purposes within the scope of the Project Description, the Grantee shall only be reimbursed monies for which the Department has issued and the Grantee has received a Notice of Department's Obligation to Reimburse² Grantee (hereinafter referred to as "Notice of Obligation"). This Grant Agreement and the disbursement of any and all amounts of the above referenced Adjusted Appropriation Amount are expressly conditioned upon the following:

- (i) Irrespective of any Notice of Obligation, the Grantee's expenditures shall be made on or before the Reversion Date and, if applicable, an Early Termination Date (i.e., the goods have been delivered and accepted or the title to the goods has been transferred to the Grantee and/or the services have been rendered for the Grantee); and
- (ii) The total amount received by the Grantee shall not exceed the lesser of: (a) the Adjusted Appropriation Amount identified in Article I(A) herein or (b) the total of all amounts stated in the Notice(s) of Obligation evidencing that the Department has received and accepted the Grantee's Third Party Obligation(s), as defined in subparagraph iii of this Article II(A); and
- (iii) The Grantee's expenditures were made pursuant to the State Procurement Code and execution of binding written obligations or purchase orders with third party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property for the Project, hereinafter referred to as "Third Party Obligations"; and
- (iv) The Grantee's submittal of timely Requests for Payment in accordance with the procedures set forth in Article IX of this Agreement; and
- (v) In the event that capital assets acquired with Project funds are to be sold, leased, or licensed to or operated by a private entity, the sale, lease, license, or operating agreement:
 - a. must be approved by the applicable oversight entity (if any) in accordance with law; or
 - b. if no oversight entity is required to approve the transaction, the Department must approve the transaction as complying with law.

² "Reimburse" as used throughout this Agreement includes Department payments to the Grantee for invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee.

Prior to the sale, lease, license, or operating agreement being approved pursuant to Articles II(A)(v)(a) and II(A)(v)(b) herein, the Department may, in its sole and absolute discretion and unless inconsistent with State Board of Finance imposed conditions, reimburse the Grantee for necessary expenditures incurred to develop the Project sufficiently to make the sale, lease, license, or operating agreement commercially feasible, such as plan and design expenditures; and

(vi) The Grantee's submission of documentation of all Third Party Obligations and amendments thereto (including terminations) to the Department and the Department's issuance and the Grantee's receiving of a Notice of Obligation for a particular amount in accordance with the terms of this Agreement shall be governed by the following:

- a. The Grantee shall submit to the Department one copy of all Third Party Obligations and amendments thereto (including terminations) as soon as possible after execution by the Third Party **but prior to execution by the Grantee.**
- b. Grantee acknowledges and agrees that if it chooses to enter into a Third Party Obligation prior to receiving a Notice of Obligation that covers the expenditure, it is solely responsible for such obligations.
- c. The Department may, in its sole and absolute discretion, issue to Grantee a Notice of Obligation for the particular amount of that Third Party Obligation that only obligates the Department to reimburse Grantee's expenditures made on or before the Reversion Date or an Early Termination Date. The current Notice of Obligation form is attached to this Agreement as Exhibit 2.
- d. The date the Department signs the Notice of Obligation is the date that the Department's Notice of Obligation is effective. After that date, the Grantee is authorized to budget the particular amount set forth in the Notice of Obligation, execute the Third Party Obligation and request the Third Party to begin work. Payment for any work performed or goods received prior to the effective date of the Notice of Obligation is wholly and solely the obligation of the Grantee.

B. The Grantee shall implement, in all respects, the Project. The Grantee shall provide all necessary qualified personnel, material, and facilities to implement the Project. The Grantee shall finance its share (if any) of the costs of the Project, including all Project overruns.

C. Project funds shall not be used for purposes other than those specified in the Project Description.

D. Unless specifically allowed by law, Project funds cannot be used to reimburse Grantee for indirect Project costs.

ARTICLE III. NOTICE PROVISIONS AND GRANTEE AND DEPARTMENT DESIGNATED REPRESENTATIVES

Whenever written notices, including written decisions, are to be given or received, related to this Agreement, the following provisions shall apply.

The Grantee designates the person(s) listed below, or their successor, as their official representative(s) concerning all matters related to this Agreement:

Grantee: Village of Taos Ski Valley

Name: Patrick Nicholson
Title: Director of Planning and Community Development
Address: PO Box 100, Taos Ski Valley, New Mexico 87525
Email: pnicholson@vtsv.org
Telephone: 575-770-5601

The Grantee designates the person(s) listed below, or their successor, as their Fiscal Officer or Fiscal Agent concerning all matters related to this Agreement:

Grantee: _____
Name: _____
Title: _____
Address: _____
Email: _____
Telephone: _____

The Department designates the persons listed below, or their successors, as the Points of Contact for matters related to this Agreement.

Department: Department of Transportation District 5 Office
Name: Stephanie Medina
Title: Local Government Road Fund Coordinator
Address: P.O. Box 4127, Santa Fe, NM 87502
Email: Stephanie.Medina@state.nm.us
Telephone: 505-660-6357

The Grantee and the Department agree that either party shall send all notices, including written decisions, related to this Agreement to the above named persons by email or regular mail. In the case of mailings, notices shall be deemed to have been given and received upon the date of the receiving party's actual receipt or five calendar days after mailing, whichever shall first occur. In the case of email transmissions, the notice shall be deemed to have been given and received on the date reflected on the delivery receipt of email.

ARTICLE IV. REVERSION DATE, TERM, DEADLINE TO EXPEND FUNDS

A. As referenced in Article I(A), the applicable law establishes a date by which Project funds must be expended by Grantee, which is referred to throughout the remainder of this Agreement as the "Reversion Date." Upon being duly executed by both parties, this Agreement shall be effective as of the date of execution by the Department. It shall terminate on **6/30/2025** the Reversion Date unless Terminated Before Reversion Date ("Early Termination") pursuant to Article V herein.

B. The Project's funds must be expended on or before the Reversion Date and, if applicable, Early Termination Date of this Agreement. For purposes of this Agreement, it is not sufficient for the Grantee to encumber the Project funds on its books on or before the Project's Reversion Date or Early Termination Date. Funds are expended and an expenditure has occurred as of the date that a particular quantity of goods are delivered to and received by the Grantee or title to the goods is transferred to the Grantee and/or as of the date

particular services are rendered for the Grantee. Funds are *not* expended and an expenditure has *not* occurred as of the date they are encumbered by the Grantee pursuant to a contract or purchase order with a third party.

ARTICLE V. EARLY TERMINATION

A. Early Termination Before Reversion Date Due to Completion of the Project or Complete Expenditure of the Adjusted Appropriation or Violation of this Agreement

Early Termination includes:

- (i) Termination due to completion of the Project before the Reversion Date; or
- (ii) Termination due to complete expenditure of the Adjusted Appropriation Amount before the Reversion Date; or
- (iii) Termination for violation of the terms of this Agreement; or
- (iv) Termination for suspected mishandling of public funds, including but not limited to, fraud, waste, abuse, and conflicts of interest.

Either the Department or the Grantee may early terminate this Agreement prior to the Reversion Date by providing the other party with a minimum of fifteen (15) days' advance, written notice of early termination. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(A).

B. Early Termination Before Reversion Date Due to Non-appropriation

The terms of this Agreement are expressly made contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. Throughout this Agreement the term "non-appropriate" or "non-appropriation" includes the following actions by the New Mexico Legislature: deauthorization, reauthorization or revocation of a prior authorization. The Legislature may choose to non-appropriate the Appropriation referred to in Article I and, if that occurs, the Department shall early terminate this Agreement for non-appropriation by giving the Grantee written notice of such termination, and such termination shall be effective as of the effective date of the law making the non-appropriation. The Department's decision as to whether sufficient appropriations or authorizations are available shall be accepted by the Grantee and shall be final. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(B).

C. Limitation on Department's Obligation to Make Grant Disbursements to Grantee in the Event of Early Termination

In the event of Early Termination of this Agreement by either party, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth Article II.

ARTICLE VI. SUSPENSION OF NEW OR FURTHER OBLIGATIONS

A. The Department may choose, in its sole and absolute discretion, to provide written notice to the Grantee to suspend entering into new and further obligations. Upon the receipt of such written notice by the Grantee:

- (i) The Grantee shall immediately suspend entering into new or further written obligations with third parties; and

- (ii) The Department will suspend the issuance of any new or further Notice of Obligation under this Agreement; and
- (iii) The Department may direct the Grantee to implement a corrective action plan in accordance with Article VI(D) herein.

B. In the event of Suspension of this Agreement, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth in Article II herein.

C. A suspension of new or further obligations under this Agreement shall remain in effect unless or until the date the Grantee receives written notice given by the Department informing the Grantee that the Suspension has been lifted or that the Agreement has been Early Terminated in accordance with Article V herein. If the Suspension is lifted, the Department will consider further requests for Notice of Obligation.

D. Corrective Action Plan in the Event of Suspension

In the event that the Department chooses, in its sole and absolute discretion to direct the Grantee to suspend entering into new or further written obligations with third parties pursuant to Article VI(A), the Department may, but is not obligated to, require the Grantee to develop and implement a written corrective action plan to remedy the grounds for the Suspension. Such corrective action plan must be approved by the Department and be signed by the Grantee. Failure to sign a corrective action plan or meet the terms and deadlines set forth in the signed corrective action plan, is hereby deemed a violation of the terms of this Agreement for purposes of Early Termination, Article V(A)(iii). The corrective action plan is in addition to, and not in lieu of, any other equitable or legal remedy, including but not limited to Early Termination.

ARTICLE VII. AMENDMENT

This Agreement shall not be altered, changed, or amended except by instrument in writing duly executed by both the parties hereto.

ARTICLE VIII. REPORTS

A. Database Reporting

The Grantee shall report monthly Project activity by entering such Project information as the Department and the Department of Finance and Administration may require, such information entered directly into a database maintained by the Department of Finance and Administration (<http://cpms.dfa.state.nm.us>). Additionally, the Grantee shall certify on the Request for Payment form (Exhibit 1) that updates have been maintained and are current in the database. The Grantee hereby acknowledges that failure to perform and/or certify updates into the database will delay or potentially jeopardize the reimbursement of funds. The Department shall give Grantee a minimum of thirty (30) days' advance written notice of any changes to the information the Grantee is required to report.

Monthly reports shall be due on the last day of each month, beginning with the first full month following execution of this Agreement by the Department and ending upon the submission of the final request for reimbursement for the Project.

B. Requests for Additional Information/Project Inspection

During the term of this Agreement and during the period of time during which the Grantee must maintain records pursuant to Article VIII, the Department may:

- (i) request such additional information regarding the Project as it deems necessary; and
 - (ii) conduct, at reasonable times and upon reasonable notice, onsite inspections of the Project.
- Grantee shall respond to such requests for additional information within a reasonable period of time, as established by the Department.

ARTICLE IX. REQUEST FOR PAYMENT PROCEDURES AND DEADLINES

A. The Grantee shall request payment by submitting a Request for Payment, in the form attached hereto as Exhibit 1. Payment requests are subject to the following procedures:

- (i) The Grantee must submit a Request for Payment; and
- (ii) Each Request for Payment must contain proof of payment by the Grantee or liabilities incurred by the Grantee showing that the expenditures are valid or are liabilities incurred by the Grantee in the form of actual unpaid invoices received by the Grantee for services rendered by a third party or items of tangible personal property received by the Grantee for the implementation of the Project; provided, however, that the Grantee may be reimbursed for unpaid liabilities only if the Department, in its sole and absolute discretion, agrees to do so and in accordance with any special conditions imposed by the Department.
- (iii) In cases where the Grantee is submitting a Request for Payment to the Department based upon invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee, the Grantee shall make payment to those contractors or vendors within five (5) business days from the date of receiving reimbursement from the Department or such shorter period of time as the Department may prescribe in writing. The Grantee is required to certify to the Department proof of payment to the third party contractor or vendor within ten (10) business days from the date of receiving reimbursement from the Department.

B. The Grantee must obligate 5% of the Adjusted Appropriation Amount within six months of acceptance of the grant agreement and must have expended no less than 85% of the Adjusted Appropriation Amount six months prior to the reversion date.

C. Deadlines

Requests for Payments shall be submitted by Grantee to the Department on the earlier of:

- (i) Immediately as they are received by the Grantee but at a minimum thirty (30) days from when the expenditure was incurred or liability of the Grantee was approved as evidenced by an unpaid invoice received by the Grantee from a third party contractor or vendor; or
- (ii) July 15 of each year for all unreimbursed expenditures incurred during the previous fiscal year; or
- (iii) Twenty (20) days from date of Early Termination; or
- (iv) Twenty (20) days from the Reversion Date.

D. The Grantee's failure to abide by the requirements set forth in Article II and Article IX herein will result in the denial of its Request for Payment or will delay the processing of Requests for Payment. The Department has the right to reject a payment request for the Project unless and until it is satisfied that the expenditures in the Request for Payment are for permissible purposes within the meaning of the Project Description and that the expenditures and the Grantee are otherwise in compliance with this Agreement,

including but not limited to, compliance with the reporting requirements and the requirements set forth in Article II herein to provide Third Party Obligations and the Deadlines set forth in Article IX herein. The Department's ability to reject any Request for Payment is in addition to, and not in lieu of, any other legal or equitable remedy available to the Department due to Grantee's violation of this Agreement.

ARTICLE X. PROJECT CONDITIONS AND RESTRICTIONS; REPRESENTATIONS AND WARRANTIES

- A. The following general conditions and restrictions are applicable to the Project:
- (i) The Project's funds must be spent in accordance with all applicable state laws, regulations, policies, and guidelines, including, but not limited to, the State Procurement Code (or local procurement ordinance, where applicable).
 - (ii) The Project must be implemented in accordance with the New Mexico Public Works Minimum Works Act, Section 13-4-10 through 13-4-17 NMSA 1978, as applicable. Every contract or project in excess of sixty thousand dollars (\$60,000) that the Grantee is a party to for construction, alteration, demolition or repair or any combination of these, including painting and decorating, of public buildings, public works or public roads and that requires or involves the employment of mechanics, laborers or both shall contain a provision stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics, shall be based upon the wages and benefits that will be determined by the New Mexico Department of Workforce Solutions to be prevailing for the corresponding classes of laborers and mechanics employed on contract work of a similar nature in the locality. Further, every contract or project shall contain a stipulation that the contractor, subcontractor, employer or a person acting as a contractor shall pay all mechanics and laborers employed on the site of the project, unconditionally and not less often than once a week and without subsequent unlawful deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates and fringe benefit rates not less than those determined pursuant to Section 13-4-11 (B) NMSA 1978 to be the prevailing wage rates and prevailing fringe benefit rates issued for the project.
 - (iii) The Project may only benefit private entities in accordance with applicable law, including, but not limited to, Article IX, Section 14 of the Constitution of the State of New Mexico, the "Anti-Donation Clause."
 - (iv) The Grantee shall not for a period of 10 years from the date of this agreement convert any property acquired, built, renovated, repaired, designed or developed with the Project's funds to uses other than those specified in the Project Description without the Department's and the Board of Finance's express, advance, written approval, which may include a requirement to reimburse the State for the cost of the project, transfer proceeds from the disposition of property to the State, or otherwise provide consideration to the State.
 - (v) The Grantee shall comply with all federal and state laws, rules and regulations pertaining to equal employment opportunity. In accordance with all such laws, rules and regulations the Grantee agrees to assure that no person shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with Grantee, be excluded from participation in the Project, be denied benefits or otherwise be subject to discrimination under, any activity performed under this Agreement. If Grantee is found to be not in compliance with these requirements during the life of this Agreement, Grantee agrees to take appropriate steps to correct any deficiencies. The Grantee's failure to implement such appropriate steps within a reasonable time constitutes grounds for terminating this Agreement.

- B. The Grantee hereby represents and warrants the following:
- (i) The Grantee has the legal authority to receive and expend the Project's funds.
 - (ii) This Agreement has been duly authorized by the Grantee, the person executing this Agreement has authority to do so, and, once executed by the Grantee, this Agreement shall constitute a binding obligation of the Grantee, enforceable according to its terms.
 - (iii) This Agreement and the Grantee's obligations hereunder do not conflict with any law or ordinance or resolution applicable to the Grantee, the Grantee's charter (if applicable), or any judgment or decree to which the Grantee is subject.
 - (iv) The Grantee has independently confirmed that the Project Description, including, but not limited to, the amount and Reversion Date, is consistent with the underlying appropriation in law.
 - (v) The Grantee's governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the Grantee to sign the Agreement and to sign Requests for Payment.
 - (vi) The Grantee shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower protection. The Grantee specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no other public official of the locality who exercises any function or responsibility with respect to this Grant, during their tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed or goods to be received, pursuant to this Grant. Further, Grantee shall require all of its contractors to incorporate in all subcontracts the language set forth in this paragraph prohibiting conflicts of interest.
 - (vii) No funds have been paid or will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of this or any agency or body in connection with the awarding of any Third Party Obligation and that the Grantee shall require certifying language prohibiting lobbying to be included in the award documents for all subawards, including subcontracts, loans and cooperative agreements. All subrecipients shall be required to certify accordingly.

ARTICLE XI. STRICT ACCOUNTABILITY OF RECEIPTS AND DISBURSEMENTS; PROJECT RECORDS

A. The Grantee shall be strictly accountable for receipts and disbursements relating to the Project's funds. The Grantee shall follow generally accepted accounting principles, and, if feasible, maintain a separate bank account or fund with a separate organizational code, for the funds to assure separate budgeting and accounting of the funds.

B. For a period of six (6) years following the Project's completion, the Grantee shall maintain all Project related records, including, but not limited to, all financial records, requests for proposals, invitations to bid, selection and award criteria, contracts and subcontracts, advertisements, minutes of pertinent meetings, as well as records sufficient to fully account for the amount and disposition of the total funds from all sources budgeted for the Project, the purpose for which such funds were used, and such other records as the Department shall prescribe.

C. The Grantee shall make all Project records available to the Department, the Department of Finance and Administration, and the New Mexico State Auditor upon request. With respect to the funds that are the subject of this Agreement, if the State Auditor or the Department of Finance and Administration finds that any or all of these funds were improperly expended, the Grantee may be required to reimburse to the State of New Mexico, to the originating fund, any and all amounts found to be improperly expended.

ARTICLE XII. IMPROPERLY REIMBURSED FUNDS

If the Department determines that part or all of the Appropriation Amount was improperly reimbursed to Grantee, including but not limited to, Project funds reimbursed to Grantee based upon fraud, mismanagement, misrepresentation, misuse, violation of law by the Grantee, or violation of this Agreement, the Grantee shall return such funds to the Department for disposition in accordance with law.

ARTICLE XIII. LIABILITY

Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to immunities and limitations of the New Mexico Tort Claims Act.

ARTICLE XIV. SCOPE OF AGREEMENT

This Agreement constitutes the entire and exclusive agreement between the Grantee and Department concerning the subject matter hereof. The Agreement supersedes any and all prior or contemporaneous agreements, understandings, discussions, communications, and representations, written or verbal.

ARTICLE XV. REQUIRED NON-APPROPRIATIONS CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

The Grantee acknowledges, warrants, and agrees that Grantee shall include a "non-appropriations" clause in all contracts between it and other parties that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement that states:

"The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, the Village of Taos Ski Valley may immediately terminate this Agreement by giving Contractor written notice of such termination. The Village of Taos Ski Valley's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. Contractor hereby waives any rights to assert an impairment of contract claim against the Village of Taos Ski Valley or the Department of Transportation or the State of New Mexico in the event of immediate or Early Termination of this Agreement by the Village of Taos Ski Valley or the Department"

ARTICLE XVI. REQUIRED TERMINATION CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

Grantee acknowledges, warrants, and agrees that Grantee shall include the following termination clause in all contracts that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement:

“This contract is funded in whole or in part by funds made available under a Department of Transportation Grant Agreement. Should the Department of Transportation early terminate the grant agreement, the Village of Taos Ski Valley may early terminate this contract by providing Contractor written notice of such termination. In the event of termination pursuant to this paragraph, the Village of Taos Ski Valley only liability shall be to pay Contractor for acceptable goods delivered and services rendered before the termination date.”

Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department.

XVII. COMPLIANCE WITH UNIFORM FUNDING CRITERIA.

A. Throughout the term of this Agreement, Grantee shall:

1. submit all reports of annual audits and agreed upon procedures required by Section 12-6-3(A)-(B) NMSA 1978 by the due dates established in 2.2.2 NMAC, reports of which must be a public record pursuant to Section 12-6-5(A) NMSA 1978 within forty-five days of delivery to the State Auditor;
2. have a duly adopted budget for the current fiscal year approved by its budgetary oversight agency (if any);
3. timely submit all required financial reports to its budgetary oversight agency (if any); and
4. have adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds.

B. In the event Grantee fails to comply with the requirements of Paragraph A of this Article XVII, the Department may take one or more of the following actions:

1. suspend new or further obligations pursuant to Article VI(A) of this Agreement;
2. require the Grantee to develop and implement a written corrective action plan pursuant to Article VI(D) of this Agreement to remedy the non-compliance;
3. impose special grant conditions to address the non-compliance by giving the Grantee notice of such special conditions in accordance with Article III of this Agreement; the special conditions shall be binding and effective on the date that notice is deemed to have been given pursuant to Article III; or
4. terminate this Agreement pursuant to Article V(A) of this Agreement.

ARTICLE XVIII. SEVERANCE TAX BOND AND GENERAL OBLIGATION BOND PROJECT CLAUSES

A. Grantee acknowledges and agrees that the underlying appropriation for the Project is a severance tax bond or general obligation bond appropriation, and that the associated bond proceeds are administered by the New Mexico State Board of Finance (SBOF), an entity separate and distinct from the Department. Grantee acknowledges and agrees that (i) it is Grantee's sole and absolute responsibility to determine through SBOF staff what (if any) conditions are currently imposed on the Project; (ii) the Department's failure to inform Grantee of a SBOF imposed condition does not affect the validity or enforceability of the condition; (iii) the SBOF may in the future impose further or different conditions upon the Project; (iv) all SBOF conditions are effective without amendment of this Agreement; (v) all applicable SBOF conditions must be satisfied before the

SBOF will release to the Department funds subject to the condition(s); and (vi) the Department's obligation to reimburse Grantee from the Project is contingent upon the then current SBOF conditions being satisfied.

B. Grantee acknowledges and agrees that the SBOF may in its sole and absolute discretion remove a project's assigned bond proceeds if the project doesn't proceed sufficiently. Entities must comply with the requirement to encumber five percent (5%) of Project funds within six months of bond issuance as certified by the grantee in the Bond Questionnaire and Certification documents submitted to the SBOF. Failure to comply may result in the bond proceeds reassignment to a new ready project. If this should occur this grant agreement will be suspended until the entity has demonstrated readiness as determined by the SBOF and the Department.

C. Grantee acknowledges and agrees that this Agreement is subject to the SBOF's Bond Project Disbursements rule, NMAC 2.61.6, as may be amended or re-codified. The rule provides definitions and interpretations of grant language for the purpose of determining whether a particular activity is allowable under the authorizing language of the agreement.

[THIS SPACE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date of execution by the Department.

GRANTEE

Signature of Official with Authority to Bind Grantee

Entity Name

By: _____
(Type or Print Name)

Its: _____
(Type or Print Title)

Date

DEPARTMENT OF TRANSPORTATION

By:

Its: Cabinet Secretary or Designee

Date

**REVIEWED AND APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE
DEPARTMENT'S OFFICE OF GENERAL COUNSEL**

Craig C. Kling
Craig C. Kling (Sep 9, 2021 14:02 EDT)

By: Craig Kling

Its: Assistant General Counsel

Date

**STATE OF NEW MEXICO
CAPITAL GRANT PROJECT
Request for Payment Form
Exhibit 1**

I. Grantee Information

(Make sure information is complete & accurate)

A. Grantee: _____

B. Address: _____

(Complete Mailing, including Suite, if applicable)

City

State

Zip

C. Phone No: _____

D. Grant No: _____

E. Project Title: _____

F. Grant Expiration Date: _____

II. Payment Computation

A. Payment Request No. _____

B. Grant Amount: _____

C. AIPP Amount (If Applicable): _____

D. Funds Requested to Date: _____

E. Amount Requested this Payment: _____

F. Reversion Amount (If Applicable): _____

G. Grant Balance: _____

H. ☐ GF ☐ GOB ☐ STB (attach wire if first draw)

I. ☐ Final Request for Payment (if Applicable)

III. Fiscal Year : _____

(The State of NM Fiscal Year is July 1, 20XX through June 30, 20XX of the following year)

IV. ☐

Reporting Certification: I hereby certify to the best of my knowledge and belief, that database reporting is up to date; to include the accuracy of expenditures and grant balance, project status, project phase, achievements and milestones; and in compliance with Article VIII of the Capital Outlay Grant Agreement.

V. ☐

Compliance Certification: Under penalty of law, I hereby certify to the best of my knowledge and belief, the above information is correct; expenditures are properly documented, and are valid expenditures or actual receipts; and that the grant activity is in full compliance with Article IX, Sec. 14 of the New Mexico Constitution known as the "anti donation" clause.

Grantee Fiscal Officer

or Fiscal Agent (if applicable)

Grantee Representative

Printed Name

Printed Name

Date:

Date:

(State Agency Use Only)

Vendor Code: _____

Fund No.: _____

Loc No.: _____

I certify that the State Agency financial and vendor file information agree with the above submitted information.

Division Fiscal Officer

Date

Division Project Manager

Date

**NOTICE OF OBLIGATION TO REIMBURSE GRANTEE
EXHIBIT 2**

Notice of Obligation to Reimburse Grantee [# 1]

DATE: [_____]

TO: Department Representative: [_____]

FROM: Grantee: [_____]

Grantee Official Representative: [_____]

SUBJECT: Notice of Obligation to Reimburse Grantee

Grant Number: [_____]

Grant Termination Date: [_____]

As the designated representative of the Department for Grant Agreement number [_____] entered into between Grantee and the Department, I certify that the Grantee has submitted to the Department the following third party obligation executed, in writing, by the third party's authorized representative:

Vendor or Contractor: [_____]

Third Party Obligation Amount: [_____]

Vendor or Contractor: [_____]

Third Party Obligation Amount: [_____]

Vendor or Contractor: [_____]

Third Party Obligation Amount: [_____]

I certify that the State is issuing this Notice of Obligation to Reimburse Grantee for permissible purposes within the scope of the project description, subject to all the terms and conditions of the above referenced Grant Agreement.

Grant Amount (Minus AIPP if applicable): [_____]

The Amount of this Notice of Obligation: [_____]

The Total Amount of all Previously Issued Notices of Obligation: [_____]

The Total Amount of all Notices of Obligation to Date: [_____]

Note: Contract amounts may exceed the total grant amount, but the invoices paid by the grant will not exceed the grant amount.

Department Rep. Approver: [_____]

Title: [_____]

Signature: [_____]

Date: [_____]

1 Administrative and/or Indirect Cost – generally, the legislation authorizing the issuance of bonds prohibits the use of its proceeds for indirect expenses (e.g. penalty fees or damages other than pay for work performed, attorney fees, and administrative fees). Such use of bond proceeds shall not be allowed unless specifically authorized by statute.

Attachment A

The Village of Taos Ski Valley shall agree to comply with the following Provisions:

1. Assume the lead role for the Project.
2. Be responsible for all applicable design, environmental and archaeological clearances, and right-of-way acquisition, in accordance with current local, state, federal laws, Uniform Relocation Act, and current design practices and specifications.
3. Be responsible for project development, project construction, construction management, and testing.
4. Utilize the Project Control Number in all correspondence and submittals to the Department.
5. Adopt a written resolution of support for the Project, including as applicable an assumption of ownership, liability, and maintenance responsibility for the scope, or related amenities and required funding to support the Project.
6. Complete the Project using current American Public Works Association (APWA) specifications, implemented Grantee's design standards and specifications, or Department specifications.
7. Use Rental Rate Blue Book rates, if not provided in the Department established equipment rates, in the implementation of this Project. Any equipment rates not found in the Department established rates shall be reimbursed at the Blue Book rates.

The Village of Taos Ski Valley shall agree to comply with the following Lighting and Signal Provisions as applicable:

1. After subject signal system(s) has/have been constructed, make provisions for and provide, at its own expense, all electrical energy, routine maintenance such as lamp replacement, emergency shutdown in case of accidental damage or equipment failure and make any repairs necessary due to accidental damage to, or equipment failure of, the signal head and poles.
2. In the event that accidental damage or equipment failure should occur, provide for equipment shut down/or emergency traffic control as needed. In addition, should the accidental damage or equipment failure involve the Controller (and cabinet) or the loop detection system, promptly notify the Traffic Technical Support Bureau of the Department.
3. In the event that the traffic signal should be rendered completely inoperable as a result of accidental damage, secure the intersection with stop signs at all approach legs until such time as the traffic signal is made operable.
4. Make ample future provisions in its budget each year for the cost of maintaining and providing energy to the traffic signals and telephone service to the signal system and intersection lighting.
5. At its own expense, maintain the signal controller and control equipment (the "Controller") including and maintenance of the machine vision vehicle detection system with cameras and emergency vehicle pre-empt system and repair or replace the Controller in the event the Controller and/or cabinet is damaged or there is an equipment failure.
6. After the installation of the roadway lighting system, if any, provide any and all utilities, maintenance, and such other items as may be necessary of continued satisfactory operation of said subject lighting system.
7. Make all timing adjustments to the Signal Control equipment and review the Signal System(s) for efficient and satisfactory operation.
8. Obtain approval from the Department for all signal equipment prior to installation.
9. Require the construction contractor to name the Department and the Grantee as an additional insured in the construction contractor's general liability policy.

10. Enter into a Signalization and Lighting Agreement with the Department's Traffic Technical Support Bureau as required.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2022-488** Requesting a Permanent Budget Adjustment to the FY2022 Budget (BAR) to Increase Salary and Benefits Expense in the EMS (09) Fund and Increase the Transfer from the General Fund (03) while Increasing the Transfer into EMS to cover the Additional Expenses

DATE: September 28, 2021

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village submitted its fiscal year 2021-2022 budget in July of 2021. The salary expense in EMS was originally based on 3 part-time employees at 18 hours per week with no benefits. Continued discussion by the Fire/EMS, the Village Safety Committee, and Council have driven the estimated expenses up based on additional staffing hours which would then require PERA benefits, insurance, and additional taxes as follows:

FUND	ACCOUNT	AMOUNT
09/20600 EMS	6112/51020 Salaries	\$95,000.00
09/20600 EMS	6125/52010 FICA	\$ 5,000.00
09/20600 EMS	6136/52011 Medicare	\$ 2,000.00
09/20600 EMS	6127/52080 SUTA other	\$ 500.00
09/20600 EMS	6122/52030 Health	\$55,000.00
09/20600 EMS	6133/52040 Life	\$ 200.00
09/20600 EMS	6134/52050 Dental	\$ 4,000.00
09/20600 EMS	6135/52060 Vision	\$ 1,000.00
09/20600 EMS	6128/52020 PERA Retirement	\$10,000.00
TOTAL INCREASE:		\$172,700.00
03/11000 General Fund	9002/61200 Transfer out	\$172,700.00
09/20600 EMS	9001/61100 Transfer in	(172,700.00)

RECOMMENDATION: Staff recommends approval of **Resolution No. 2022-488** to amend the budget for FY2022 to increase salary and benefit expenses for the EMS fund (09) and the corresponding transfer into EMS from the General Fund (03) to cover the additional expenses.

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2022-488**

A RESOLUTION REQUESTING A PERMANENT BUDGET ADJUSTMENT TO THE FY2022 BUDGET (BAR) TO INCREASE SALARY AND BENEFITS EXPENSE IN THE EMS (09) FUND AND INCREASE THE TRANSFER OUT FROM THE GENERAL FUND (03) WHILE INCREASING THE TRANSFER INTO THE EMS FUND TO COVER THE ADDITIONAL EXPENSES

WHEREAS, it is hereby resolved that the Village of Taos Ski Valley having met in a regular meeting on September 28, 2021 proposes to make an adjustment to the Fiscal 2021-2022 budget as follows:

<u>FUND</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
09/20600 EMS	6112/51020 Salaries	\$95,000.00
09/20600 EMS	6125/52010 FICA	\$ 5,000.00
09/20600 EMS	6136/52011 Medicare	\$ 2,000.00
09/20600 EMS	6127/52080 SUTA other	\$ 500.00
09/20600 EMS	6122/52030 Health	\$55,000.00
09/20600 EMS	6133/52040 Life	\$ 200.00
09/20600 EMS	6134/52050 Dental	\$ 4,000.00
09/20600 EMS	6135/52060 Vision	\$ 1,000.00
09/20600 EMS	6128/52020 PERA Retirement	\$10,000.00
TOTAL INCREASE:		\$172,700.00

<u>FUND</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
03/11000 General Fund	9002/61200 Transfer out	\$172,700.00
09/20600 EMS	9001/61100 Transfer in	(172,700.00)

WHEREAS, at the regular meeting of the Village of Taos Ski Valley Governing body on September 28, 2021, it considered adjustments to its budget for the Fiscal Year 2021-2022; and

WHEREAS, said budget was developed based on need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meetings for the review of said documents were duly advertised and posted in compliance with the State of New Mexico Open Meetings Act; and

WHEREAS, it is the majority opinion of this Council that the proposed budget adjustments meets the requirements as currently determined for Fiscal Year 2021-2022.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the Village of Taos Ski Valley, State of New Mexico hereby approves authorizes and directs that the Village of Taos Ski Valley budget for Fiscal Year 2021-2022 be amended accordingly.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2021.

THE VILLAGE OF TAOS SKI VALLEY

By: _____
Christof Brownell, Mayor

(Seal)

ATTEST:

Ann M. Wooldridge, Village Clerk

VOTE: For _____ Against _____

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEMS TITLE: Introduction: **Ordinance No. 2022-30** Amending Village Zoning Ordinance No. 17-30 to Include Provisions Regarding Cannabis Establishments and Uses and Amending the Village's Official Zoning Map to Create a Cannabis Overlay Zone District

DATE: September 28, 2021

PRESENTED BY: Susan Baker, Village Attorney and Patrick Nicholson, Planning & Community Development Director

STATUS OF AGENDA ITEM: New Business/Urgent

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND:

The proposed ordinance amendments create zoning regulations regarding the use, sale, production, manufacturing, and cultivation of cannabis. According to the New Mexico Cannabis Regulation Act ("the Act"), the Village has the authority to regulate the "time, place and manner" of cannabis uses within the Village limits. Village staff proposed, and the Planning & Zoning Commission endorsed, creating a "Cannabis Overlay Zone" where certain retail establishments would be allowed as a permissive use. The Cannabis Overlay Zone is defined in the proposed amendments to the Zoning regulations, Ordinance No. 17-30, Section 17. Creation of this District also requires amendment to the original Zoning Map, Ordinance No. 17-30, Section 10.

The Council packets include overlay maps defining the proposed Cannabis Overlay District, with options for retail uses in Amizette commercial areas and portions of the Village Core. Because the Village Core Zone in Ordinance No. 17-30 currently requires that all commercial and retail uses receive a conditional use permit, the same would be true for a cannabis establishment. The current proposals allow for retail cannabis establishments as a permissive use in the C-B Commercial /Business Zone. Consumption areas are not allowed in any zone. The New Mexico Cannabis Act allows for local governments to ban consumption areas, but not cannabis establishments in general. In addition, consumption areas require a separate State license.

Cannabis establishments for manufacturing, production, or cultivation are not allowed in the C-B Commercial /Business Zone or Core in the proposed Ordinance. In addition, no cannabis establishments are allowed in the Residential Zone or as a Home Occupation. They are proposed to be allowed for cultivation in the Farming & Recreation Zone, and for cultivation, manufacturing, and production in the Industrial Zone, but only as a conditional use due to their potential impact on surrounding neighbors.

RECOMMENDATION:

Council should consider the proposed Ordinance and Zoning Map Amendment as a first reading. Staff recommends passing a motion to publish and post the ordinance before the second reading, with any changes or conditions deemed necessary by Council.

A Public Hearing will be held at the next Council meeting after which consideration to approve the Ordinance will take place.

**THE VILLAGE OF TAOS SKI VALLEY
ORDINANCE NO. ____**

**AN ORDINANCE OF THE VILLAGE OF TAOS SKI VALLEY AMENDING ORDINANCE
NO. 2017-30 TO INCLUDE PROVISIONS REGARDING CANNABIS ESTABLISHMENTS
AND USES AND AMENDING THE VILLAGE’S OFFICIAL ZONING MAP TO CREATE A
CANNABIS OVERLAY ZONE ~~DISTRICT~~**

WHEREAS, both the Village of Taos Ski Valley Planning and Zoning Commission and Council have determined that the retail sale, production, manufacturing, distribution, and cultivation of cannabis and cannabis infused products may be harmful to the public health, safety and welfare if not locally regulated based upon “time, place, and manner” restrictions;

WHEREAS, local governments are authorized by the State of New Mexico to regulate “time, place, and manner” in relation to cannabis as set forth in the New Mexico Cannabis Regulation Act, as amended;

WHEREAS, the Planning and Zoning Commission and Council find and declare that cannabis issues are a matter of local concern and municipal interest, recognizing the Village’s police and zoning powers under NMSA Sections 3-17-1, 3-18-1, and 3-21-1.

WHEREAS, in the best interest of Village citizens, this Ordinance establishes zoning for specific uses related to cannabis retail sale, production, manufacturing, distribution, and cultivation.

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF TAOS SKI VALLEY
AS FOLLOWS:**

SECTION I.

Ordinance No. 2017-30, Section 6, titled “Definitions” is amended to add the following terms:

(1) "Cannabis" except where the context clearly indicates otherwise, means growing cannabis plants, harvested cannabis -in any state, and cannabis infused products of all kinds, including for medical use, and as that term is defined in the New Mexico Cannabis Act. For the purpose of this Ordinance, the term cannabis and medical cannabis are interchangeable.

(2) "Cannabis Establishment" means an entity licensed by the Village pursuant to this Ordinance and may include any of the following:

(a) A single retail location where the licensee may sell cannabis and cannabis infused products to consumers, including edibles. It includes both recreational and medical cannabis.

(b) An offsite manufacturing and production facility at which the licensee may manufacture and produce cannabis and cannabis infused products, which are not sold on location but are sold or transferred to consumers at other locations. It includes both recreational and medical cannabis.

(c) A cultivation facility at which the licensee may grow or cultivate cannabis and cannabis infused products, which are not sold on location but are sold or transferred to consumers at other locations. It includes both recreational and medical cannabis.

(d) A combined retail, production, and manufacturing location where the licensee may produce and manufacture cannabis and cannabis infused products, including edibles, and also sell these products to consumers at the same location. It includes both recreational and medical cannabis.

(e) A combined retail, production, manufacturing and cultivation/growing location ,where the licensee may cultivates and grow cannabis, produce and manufacture cannabis, including cannabis infused products and edibles, and also sell these products to consumers at the same location. It includes both recreational and medical cannabis.

(f) A cannabis establishment is not permitted within three hundred (300) feet of any public or private school or other childcare facility. The distances referred to in this paragraph are to be computed by direct measurement from the nearest property line of the land used for a school or campus, to the nearest portion of the lot that is the situs of the building that is proposed fora licensed premises.

(3) "Cannabis Establishment/Adjacent Grounds" means all areas that the Cannabis Establishment has an exclusive right to possess by virtue of his ownership or lease, which are outside the enclosed main premises, but adjacent and contiguous to the premises, including but not limited to porches, patios, decks, entryways, lawns, parking lots, and similar areas and all fixed and portable things in those areas, including but not limited to lights, signs, speakers, and security devices.

(4) "Cannabis Establishment/Consumption Areas" means all areas where cannabis is consumed on premises or on adjacent grounds, including smoking, eating, and vaping.

(5) "Cannabis License" means a specific type of business license obtained by a Cannabis Establishment to operate within the Village limits and pursuant to Village Ordinance No. 2022-071, as amended, and the New Mexico Cannabis Act, as amended.

(6) "The Cannabis Overlay Zone " means an area depicted on the Village's zoning map allowing for the location of specified types of cannabis establishments, either as a permissive uses, or conditional uses, and as otherwise limited in designated zone districts, as set forth in the Village's zoning regulations.

SECTION II.

Ordinance No. 2017-30, Section 11, titled "Residential Zone," subsections (2) titled "Permissive Uses," and (3)(3) titled "Conditional Uses"/"Home Occupations" are amended as follows:

R - RESIDENTIAL ZONE.

1. Intent. The intent of this zone district is to provide for the development of single-family homes of mixed construction including conventional housing, modular or prefabricated Dwelling Units. Certain other Uses specified in this section are allowed, provided they are compatible with the development of the neighborhood. Density shall not exceed one Dwelling Unit per Lot.

2. Permissive Uses.

Any of the following Permissive Uses are allowed in this zone district.

One Single-Family Dwelling; One Auxiliary Unit; Accessory Buildings, Structures, or Uses customarily incidental to the uses allowed in this zone, provided that in total their square footage does not exceed 30% of the square foot calculations for the primary unit.

Cannabis establishments are not permitted in the Residential Zone.

3. Conditional Uses.

1. Multi-family dwellings: Apartments, Bed and Breakfasts (not larger than five guestrooms), Condominiums, and other multi-family dwellings provided that there are not more than three dwelling units on lots of adequate size to comply with the regulations and standards of the Village and other governmental agencies.

2. Public utility services.

3. Home Occupations, provided that:

a. No more than 25% of the square footage of the buildings on the lot shall be devoted to the home occupation; and

b. One related on-premises; non-illuminated sign is permitted with a sign face not exceeding two and one half square feet.

c. Cannabis establishments are not permitted as a Home Occupation.

4. Modular or manufactured home

5. Temporary buildings

Section III.

Ordinance No. 2017-30, Section 11, titled "C-B Commercial /Business Zone" subsections (2) titled "Permissive Uses" and (3) titled "Conditional Uses" are amended as follows:

2. Permissive Uses.

Any of the following Permissive Uses are allowed in this zone district:

1. All Permissive Uses in the R zone;
2. Retail business establishments, including licensed retail cannabis establishments that do not have a consumption area, and which are located exclusively within the Village's Cannabis Overlay Zone, and more than 300 feet from a school, daycare, or child learning facility;
3. General and professional offices;
4. Business and personal services;
5. Banking and financial services;
6. Boarding, Rooming, Lodging House or Bed and Breakfast.
7. Galleries and Museums.
8. Ski trails and slopes, lifts, snowmaking equipment or other related functions not requiring an enclosed building
9. Licensed retail cannabis establishments, that do not have a consumption area, and which are located exclusively within the Village's Cannabis Overlay Zone District, and more than 300 feet from a school, daycare, or child learning facility.
10. Cannabis establishments with consumption areas or involving production, manufacturing, or cultivation are not allowed.

3. Conditional Uses.

The following uses may be allowed in this zone district only upon permit granted by the Commission in accordance with this Ordinance:

1. All uses conditional in the R zone;
2. Hotels and motels, provided there are community water and sewer systems to serve the development;
3. Eating and drinking establishments.

Section IV.

Ordinance No. 2017-30, Section 13, titled “Core Village Zone (CVZ)”, subsections (6), titled “Conditional Uses,” are amended as follows:

6. Conditional Uses.

The following are permitted uses with approval of conditional use:

1. Residential (single-family and multi-family)
2. Hotel
3. Lodge
4. Shared ownership/timeshare
5. Bed and breakfast
6. Commercial, including a licensed retail cannabis establishment, that does not have a consumption area, and located exclusively within the Village’s Cannabis Overlay Zone and more than 300 feet from a school, daycare, or child learning facility.
7. Restaurant
8. Bar
9. Retail, including a licensed retail cannabis establishment, that does not have a consumption area, located exclusively within the Village’s Cannabis Overlay Zone and more than 300 feet from a school, daycare, or child learning facility.
10. Other Commercial Services
11. Skier services
12. Office
13. Amenity Facilities
14. Parking
15. Recreational Uses

16. Accessory uses/structures
17. Maintenance/service/utility facilities
18. Clubs and places of assembly when conducted completely within enclosed Buildings, with the exception of cannabis establishments or consumption areas.
19. Mixed Use structures with any combination of the above.

Short-term rental of all single-family, multi-family, hotel and lodge units is specifically permitted

20. Cannabis establishments with consumption areas or involving production, manufacturing, or cultivation are not allowed.

SECTION V.

Ordinance No. 2017-30, Section 17, titled "Overlay Zones", is amended to add a subsection (5), titled "Cannabis Establishment Overlay Zone," as follows:

1. Intent; Permissive Use. The intent of overlay zones is to provide for areas within the Village for the development of multiple uses on the same parcel or lot. All overlay zones are conditional uses in all zones within the Village of Taos Ski Valley.

2. Mobile Home Parks and Mobile Home Subdivisions

1. Mobile home parks and subdivision overlays are only conditional in a Mobile Home Overlay Zone to the Farming and Recreational Zone.

2. Supplementary Regulations.

a. Size. A Mobile Home Park or a Mobile Home Subdivision must have a minimal size of four acres.

b. Density. No more than four mobile homes may be located on one acre.

c. Setback Requirements. For each mobile home unit, the lot on which it sits must be on an area not less than sixty feet in width and sixty feet in length and

the distance between any mobile home unit and the outer boundary of the Overlay Zone shall be a minimum of twenty-five feet. Spacing between each unit shall not be less than twenty-five feet, whether the mobile homes are placed side-by-side or end-to-end.

d. Streets and Roads. All private roads within a Mobile Home Park must be at least twenty-four feet in width and have a snow storage easement of at least twenty feet on each road.

e. Off-Street Parking. There must be at least two off-street parking places for each mobile home unit.

f. Utilities/Services. All Mobile Home Parks or Subdivisions must be connected to and served by the Village's water and sewer system.

3. Residential-Commercial Overlay Zone.

1. A combination of residential and commercial uses is an overlay in any zone.

2. The supplementary requirements for a residential-commercial overlay are those requirements applicable to a commercial zone.

4. Environmental Protection Overlay Zone.

1. The Environmental Protection Zone provides the highest level of protection to the natural environment of the Village. Development will be approved in the environmental protection zone only in rare and unusual circumstances

5. Cannabis Overlay Zone

1. The Cannabis Overlay Zone provides designated areas, as depicted on the overlay zoning map, for the location of specified types of cannabis establishments, either as a permissive uses, or conditional uses, and as otherwise limited in designated zone districts, as set forth in the Village's zoning regulations.

2. No cannabis establishment or use is permitted outside of the Cannabis Overlay Zone, with the exception of personal use as defined in the New Mexico Cannabis Act, as amended, and Village Ordinance No. 2022-71, as amended.

SECTION VI.

Ordinance No. 2017-30, Section 16, titled "Farming and Recreation", is amended as follows:

SECTION 16. FARMING AND RECREATION.

1. Intent. This zone permits multiple uses of the land for a variety of purposes.

2. Permissive Uses.

1. All uses permissive in the R zone;

2. Public recreational purposes for which a fee is not charged, including, but not limited to, hiking, fishing, hunting, camping, equestrian activities and off-road vehicle activities.

3. Farming uses, **with the exception of cannabis establishments.**

3. Conditional Uses.

1. Commercial recreational purposes for which a participation fee or a spectator fee is charged⁷;

2. Commercial farming uses, **including cannabis establishments involved in cultivation of cannabis or cannabis infused products.**

3. Commercial timber harvesting or logging operation.

4. Temporary Buildings.

4. Supplementary Regulations.

1. All commercial uses must comply with the supplementary regulations of Section 12.

2. The construction of any building, residence or otherwise must comply with the Supplementary Regulations of Section 12.

Section VII.

Ordinance No. 2017-30, Section 18, titled “Industrial Zone 1”, is amended as follows:

SECTION 18. INDUSTRIAL ZONE 1.

1. Intent.

This zone is intended to promote and encourage modern industrial and research development facilities and other similar uses, which can meet strict development standards, while maintaining enough flexibility to efficiently meet the needs of the developer and user. For this reason, Planned Industrial Parks are strongly encouraged in this zone. Residential uses are not permitted, including manufactured home parks, courts or subdivisions or RV parks.

2. Permissive Uses.

1. Manufacturing operations within a completely enclosed building, **with the exception of cannabis manufacturing, production or cultivation establishments.**
2. Warehouses and storage facilities.
3. Retail sales which are incidental to a manufacturing activity, **with the exception of cannabis establishments.**
4. Governmental services, ski services, public utility services, including storage or repair services.
5. Offices for professional services and the above listed services.
6. Business and trade schools.
7. Taxi stands, bus stops, public parking lots and garages.
8. Gas service stations.
9. Outdoor sales of nursery stock.

10. New and used automobile, truck, mobile home and agricultural equipment sales.

11. Wholesale establishments, with the exception of cannabis establishments.

12. Lumberyards and building supplies.

13. Vehicle repair garages or shops

3. Conditional Uses.

1. Adult entertainment uses where the exterior building wall of the building in which the uses exist are not within 500 feet of the exterior property lines of:

a. A nursery school, elementary school, secondary school or high school.

b. Public libraries, service clubs, neighborhood or community public recreation facilities.

c. A church

d. A bar or cocktail lounge

2. Any adult entertainment use that lawfully exists is not rendered a violation of these provisions by the subsequent location of any of the uses described above.

3. Any adult entertainment shall not be located within five hundred feet of an existing residential zone.

4. A cannabis establishment that is more than 300 feet from a school, daycare, or child learning facility, or not within 1000 feet of a residential zone or use.

SECTION VIII. AMENDMENTS TO VILLAGE'S ZONING MAP

Section 10 of Ordinance No. 17-30, adopting the Village's Official Zoning Map, is amended to include maps depicting the "Cannabis Overlay Zone-District," as set forth herein and in Exhibit A, attached hereto.

SECTION IXVIII. PENALTIES

To the extent permitted by law, any violation of this Ordinance will result in a citation with penalties of up to \$300 for each separate violation, and with possible cumulative penalties for each day a violation continues.

The Village may also enforce against violations through civil actions and penalties, including injunctive relief.

SECTION ~~VIX~~. REPEAL OF CONFLICTING PROVISIONS

All Village ordinances or parts of ordinances in conflict with the provisions of this Ordinance, or any part thereof, are hereby superseded and repealed.

SECTION XI. SEVERABILITY CLAUSE

If any court of competent jurisdiction or the State of New Mexico finds any provision of this Ordinance to be unlawful, this provision shall be severable and the remainder of this Ordinance shall remain in full force and effect.

SECTION XII. PUBLICATION AND EFFECTIVE DATE

This Ordinance will shall be in full force and effect after its adoption, approval, and publication as provided by law.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 2021.

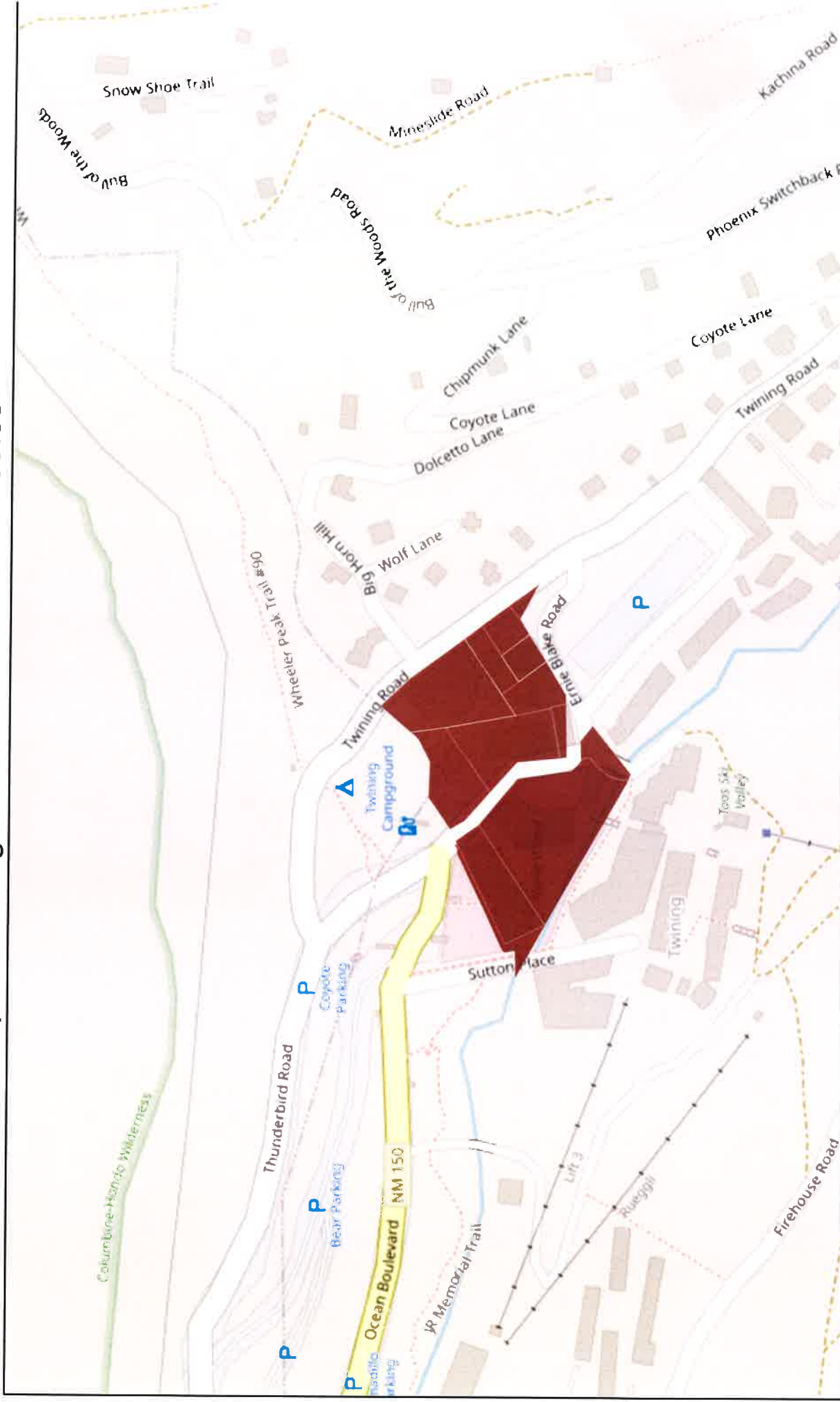
VILLAGE OF TAOS SKI VALLEY, NEW MEXICO

Christof Brownell, Mayor


ATTEST:

Ann Wooldridge, Village Clerk

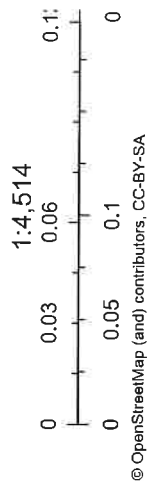
Proposed Village Core Retail Cannabis Sales



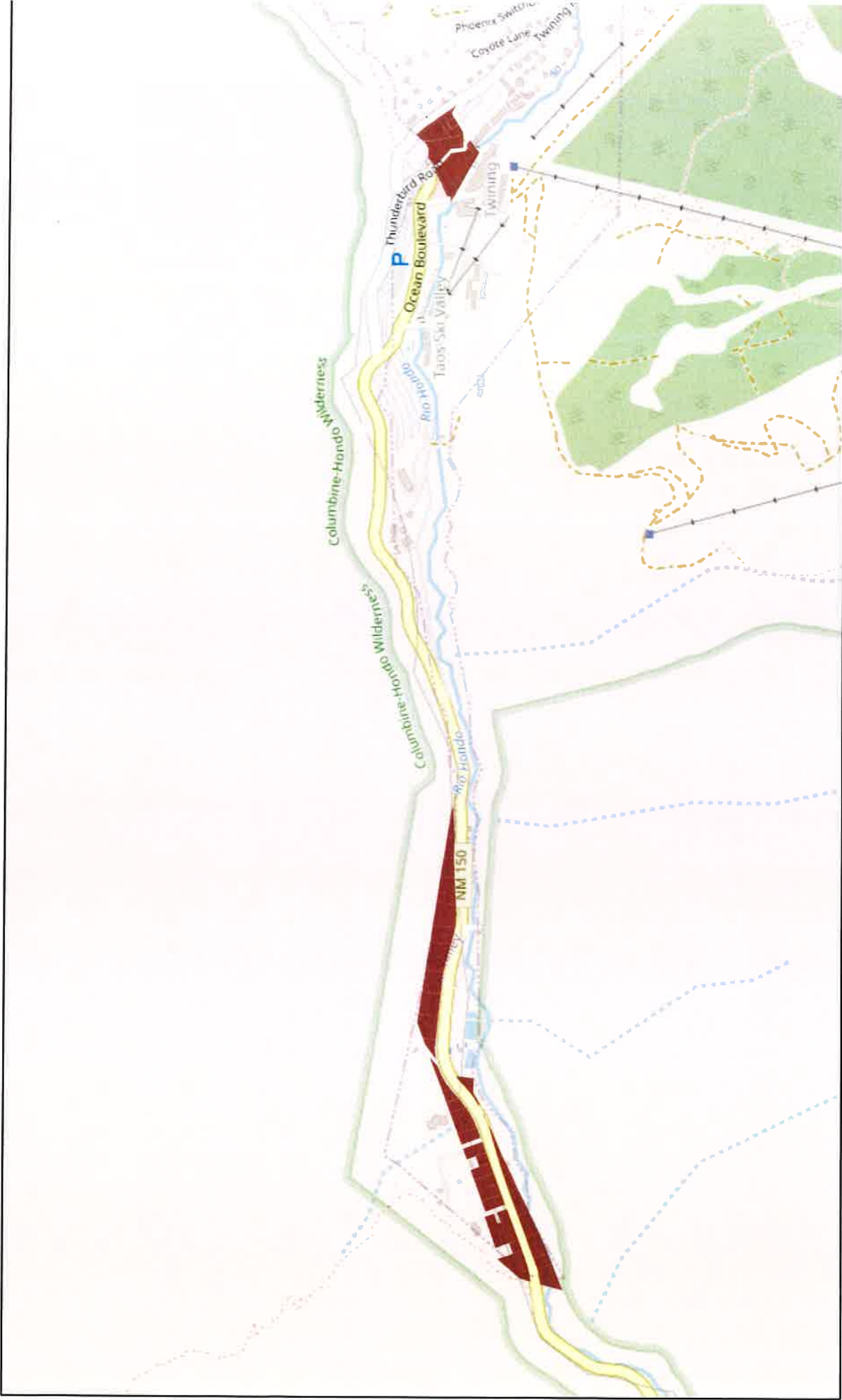
9/7/2021, 5:04:13 PM



Cannabis Overlay Zone



Proposed VTSV Retail Cannabis Sales



9/7/2021, 5:03:15 PM

Cannabis Overlay Zone

1:18,056
0 0.13 0.25 0.35 0.7 km
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VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Discussion and Direction to Create a future Budget Adjustment Resolution to Fund \$30,000 for a Village Document Management System and the Professional Services that are required to implement the System for the Village of Taos Ski Valley

DATE: September 28, 2021

PRESENTED BY: Ann Wooldridge, Village Clerk and John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Village Office of the Clerk has previously requested funding for a Village document management system to allow better access to records, and the ability to house documents for public access. As the Village web site cannot make the volume of information available without a system to digitize, store, and make accessible public documents, the need to pursue a document management system is of increasing priority.

\$30,000 is a base line estimate for a document management system. Further investigation of the current costs for system procurement and implementation is ongoing. Defining the immediate requirements for the system allows planning for obtaining the best technical product and the steps needed for supporting the transition to the system.

The specifications for a document management system may include but are not limited to: Codification of Village Legislation, Records Policy such as document posting requirements, open meeting act requirements, classification procedures, retention schedule requirements, as well as digitization capability with PDF searchable text, volume scanning, file conversion, and the like. Other items to consider would be cloud storage, technical support, and onsite support to convert hard copy documents.

STAFF RECOMMENDATION: Staff recommends discussion and direction to create a budget adjustment in order to fund a Document Management System

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Discussion and Direction to Create a future Budget Adjustment Resolution to fund \$1,000 of Gap Funding to participate in an Agreement between Enchanted Circle Entities to Continue Operation of the Taos Recycling Center through January 2022

DATE: September 28, 2021

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

Officials in Taos County have continued discussion with elected officials of the Town of Taos about continuing service at the Recycling Center in the Town of Taos. Reportedly those County Officials plan on submitting a plan to the Town of Taos to hopefully have them reconsider and re-open the Recycling Center with gap funding assistance from several private entities and other contributing agencies. The gap funding would keep the Taos Recycling Center open while a more permanent funding arrangement can be arranged.

The Village contribution of \$1,000 to the gap funding agreement would be contingent on all other participants in the agreement also committing to contributing to the funding agreement.

STAFF RECOMMENDATION: Staff recommends discussion and direction to create a budget adjustment to fund participation in the Recycling Center gap funding, on the condition that there is sufficient funding commitment from the Town of Taos, Taos County, and other Enchanted Circle participants of the agreement.