



**VILLAGE COUNCIL REGULAR MEETING AGENDA
MEETING TO BE HELD VIA ZOOM TELECONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, FEBRUARY 22, 2022 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 JANUARY 25, 2022 VILLAGE COUNCIL REGULAR MEETING**
- 5. CITIZEN'S FORUM** –for non-agenda items only. Limit to 5 minutes per person (please email awooldridge@vtsv.org to sign up)
- 6. COMMITTEE REPORTS**
 - A. Planning & Zoning Commission
 - B. Public Safety Committee
 - C. Firewise Community Board
 - D. Parks & Recreation Committee
 - E. Lodger's Tax Advisory Board
- 7. REGIONAL REPORTS**
- 8. MAYOR'S REPORT**
- 9. STAFF REPORTS**
 - A. Administrator Avila
 - B. Finance Director Grabowski
 - C. Police Chief Vigil
 - D. Fire Chief Molina
 - E. Building Official Bowden
 - F. Planning Director Nicholson
 - G. Public Works Director Martinez
 - H. Clerk Wooldridge
 - I. Attorney Baker
- 10. OLD BUSINESS**
 - A. **PUBLIC HEARING:** Consideration to Approve **Amended Ordinance 2022-30** Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees
- 11. NEW BUSINESS**
 - A. Consideration to Approve **Resolution No. 2022-502** Adopting Revised Development Impact Fees Pursuant to NMSA, Sections 5-8-1, et. seq. the NM Development Impact Fees Act, and Village Ordinance No. 22-30, as amended, Section 23
 - B. Consideration to Approve **Resolution No. 2022-503** Authorizing Village Administration to Create Parking, Traffic, Weather, and Road Condition Control Restrictions and Public Safety Enforcement for Village Roads and Public Facilities
 - C. Consideration to Approve **Resolution No. 2022-504**, Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022, NM LGRF DOT COOP
 - D. Consideration to Approve **Resolution No. 2022-505**, Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2023, NM Municipal Arterial Program (MAP)
 - E. Consideration to Approve Renewal of Village GIS Outside Contractor Contract

F. Consideration to Approve a Contract with Raftelis of Greenwood Village, CO for a Water and Sewer Rate Study with a Separate Study on Trash and Recycling Fees

G. Consideration to Approve a Contract with Casselle Accounting Software

H. Consideration to Approve Village of Taos Ski Valley's Intent to Enter into a Memorandum of Agreement with New Mexico Department of Energy Minerals and Natural Resources, State Forestry for Disbursement of Federal Funds under the Non- Federal Lands Grant

I. Discussion and Consideration to Approve Out-of- State Travel by Building Official Bowden for ICC Continuing Education Credits for Recertification

J. Discussion and Consideration to Approve a Village Letter Supporting the TSVI Gondola Project

K. Discussion of Village Municipal Real Property

12. MISCELLANEOUS

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

14. 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, JANUARY 25, 2022 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 roll 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

Staff present:

Village Administrator John Avila
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Building Official Jalmar Bowden
Public Works Director Anthony Martinez
Interim Police Chief Vigil
Fire Chief Roberto Molina
Planning Director Patrick Nicholson
Village Attorney Susan Baker

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda with the amendment to table appointing a Holy Cross Hospital Nominating Committee member until after the March 1, 2022 election.

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

4. CONSIDERATION TO APPROVE APPOINTMENT OF VILLAGE OF TAOS SKI VALLEY POLICE OFFICER GLADEAU

Mayor Brownell appointed James Gladeau to Police Officer 2.

MOTION: To approve appointing Police Officer James Gladeau

Motion: Councilor Stagg **Second:** Councilor King **Passed:** 4-0

5. APPROVAL OF THE MINUTES OF THE DECEMBER 14, 2021 VILLAGE COUNCIL REGULAR MEETING, the DECEMBER 20, 2021 VILLAGE COUNCIL EMERGENCY MEETING, the JANUARY 10, 2022 VILLAGE COUNCIL SPECIAL MEETING, and the JANUARY 10, 2022 VILLAGE COUNCIL SPECIAL WORKSHOP

MOTION: To approve the four sets of minutes

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

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

A. TSVI David Norden reported that State officials had contacted him again looking for big ideas for public-private partnerships which involve clean energy transportation, outdoor equity for trails, campgrounds, and bike paths, for watershed management and land stewardship, and to improve roadways. The State said that there is a potential \$6 million available for funding such a project. Mr. Norden said that funds for repairing the Village's water system could be included in use of the funds. He thanked the Mayor and Council for its support. In response to the potential initiative, TSVI has hired a Director of Private-Public Partnerships, Carlos Hernandez.

B. Homeowner Francie Parker read a statement from the TSV Neighborhood Association questioning eligibility of voters on the voting roster.

C. TSVI John Kelly reported on TSVI's response to the December 15, 2021 weather event that resulted in many downed trees in the Kachina area. Mr. Kelly said that TSVI is using special equipment to stack the trees for potential use later. They are already ahead of their schedule to clean up in concern of beetle infestation, increased risk of wildfire, and protecting the Village's water source.

D. TSVI Chamber Director Courtney Tucker asked for the community's continued patience as the Chamber works towards getting the post office and visitor center going.

E. Homeowner Mike Fitzpatrick said that he will be requesting information from the Village which he hopes to get posted on the web.

7. COMMITTEE REPORTS

A. **Planning and Zoning Commission** –Commission Chair Wittman reported that the Commission met on January 10, 2022. There was a TSVI presentation on a proposed "Civic Node" on Firehouse Road. Mogul Medical will move to a new building next to the exiting Firehouse, with ambulance access and skier access. A new building on the other side of the current Firehouse will be a joint TSVI-Village project to build a new Firehouse and TSVI offices.

The next meeting will take place on February 7, 2022 at 1:00 p.m. via Zoom.

B. **Public Safety Committee** – Chairman Neal King reported that the Committees had not met but would plan to meet again on February 7, 2022. Chairman King said that Firewise initiatives are moving forward. Committee member Kathy Bennett successfully renewed the Firewise Community designation for the Village.

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

D. **Parks & Recreation Committee** – Chair Kett reported that the Committee had been working on mapping existing and possible future trails. They met on January 20, 2022 at 3:30 p.m. at the Village Office at 7 Firehouse Road and plan to meet on the third Thursday of every month. The next meeting is scheduled for February 17, 2022 at 3:30 p.m. at the Village Office.

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

8. REGIONAL REPORTS

No reports.

9. MAYOR'S REPORT

A. Consideration to Appoint a Representative to the Holy Cross Hospital Nominating Committee
This item had been tabled earlier.

B. Consideration to Approve Appointment of Planning & Zoning Commissioners
Mayor Brownell re-appointed the previous seven P&Z Commissioners. Based on continuing staggered terms, Commissioners Caldwell, Duffy, Klinkmann, and Stagg now have a one-year term, and Commissioners Nichols, Wittman, and Woodard now have two-year terms.

C. Darlene Trujillo Thanks to Elected Officials

Mayor Brownell read a card of thanks to the elected officials from Darlene Trujillo, Sammy Trujillo's wife.

10. 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. He noted that Covid testing is being conducted for free for employees on Tuesdays at the Taos Tent. There is no mandate in place from the Village or the State that all businesses require masking. Work

is being done concerning the wastewater treatment plant inefficiencies. A temporary treatment plant is currently being used as a back-up. Emergency services office are in place at the Village Complex. The Village Plan of Finance by consultants Stifel was presented on January 10, 2022. KCEC Undergrounding is proceeding with plans for initiatives moving forward in Amizette and in the Village this spring.

11. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve Amended Ordinance 2022-71 Establishing a Local Cannabis License and Adopting Regulations Regarding Cannabis

Attorney Baker explained that the proposed Ordinance establishes a local license for cannabis establishments within the Village limits. It also creates general regulations regarding the use of cannabis and cannabis infused products. The Village Council previously adopted this Ordinance in August 2021, with a sunset provision effective January 31, 2022.

MOTION: To Approve Amended Ordinance 2022-71 Establishing a Local Cannabis License and Adopting Regulations Regarding Cannabis

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

12. NEW BUSINESS

A. Review and Consideration to Publish and Post Ordinance No.2022-30 Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees

The proposed Ordinance updates existing provisions in the Village's Zoning Ordinance No. 22-30 to better comply directly with the New Mexico Development Fees Act. The Ordinance defines how the Village may assess development impact fees on new development. It also specifically addresses refunds and credits of development impact fees as set forth in the Act. The appendix attached to the Ordinance establishes proposed development impact fees following the Council's previous adoption of the Land Use Assumptions and Capital Improvements Plan.

MOTION: To Publish and Post Ordinance No.2022-30 Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees

Motion: Councilor Kern

Second: Councilor King

Much discussion followed. Attorney Baker said that the fees had to be related to the Land Use Assumptions and to the Capital Improvement Plan. Suggestions were made to move forward with the Ordinance but to keep the existing fees in place, or to reduce some of the higher fees by 20% or another percentage. Questions were asked about the total fee structure and whether water and sewer connection fees would also be assessed in addition to the development impact fees.

AMENDED MOTION: To Publish and Post Ordinance No.2022-30 Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees, with notice to omit the fees section, Exhibit A.

Motion: Councilor Kern

Second: Councilor King

Passed: 4-0

B. Consideration to Acknowledge and Approve 2nd Quarter Report for Submission to DFA

Director Grabowski presented the summary report to be submitted to DFA, along with the Profit and Loss from July 1-December 31, 2021. She said that the Village ended the 2nd quarter of FY2022 with a net operating loss of \$308,315. Staff is submitting this report to the Council for its review and acknowledgement of the financial status of the Village as of December 31, 2021.

MOTION: To Acknowledge and Approve the 2nd Quarter Report for Submission to DFA

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

C. Review and Consideration to Enter in a Project Participation Agreement with TSVI to Construct Offices and a Village Fire House

TSVI proposes subdividing its 20-acre property around Firehouse Road to construct a two-story building on a 0.5-acre lot. The proposed building would be divided into two condominiums, one owned by the Village and the other by TSVI.

The Village portion of the building would be on the first floor and would house the Fire Department, as well as other municipal activity. TSVI's condo is planned to be upstairs on the second floor and intended for company office space. The proposed Agreement formalizes collaboration between TSVI and the Village to seek construction of a Village Fire House on TSVI property located adjacent to the existing Village offices. The collaboration proposal was initiated so that Fire Department equipment and facilities may be housed appropriately on-site and developed for months toward that opportunity.

MOTION: To Enter in a Project Participation Agreement with TSVI to Construct Offices and a Village Fire House

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

D. Consideration to Approve the Renewal of Village Annual Outside Contractor Contract

The contract with Attorney Susan Baker is running from December to December which is outside the fiscal year period. Staff is requesting renewal of this contract for 5 months through June 30, 2022, at which time the contract would be grouped with other annual contract renewals request in July.

Susan C. Baker

2/1-6/30/2022 Legal Services

(NTE) \$100,000

MOTION: To Approve Renewal of Contract for Susan Baker

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

E. Acknowledgment of the Requirement for the Village of Taos Ski Valley Mayor and Councilors to Submit Outside Employment Disclosure Forms on an Annual Basis

Director Grabowski said that there is a requirement to comply with Section 10-16-4.2 NMSA Governmental Conduct Act, as follows: Pursuant to 10-16-4.2, a public officer or employee shall disclose in writing, all employment engaged in by the officer or employee other than the employment with the state.

Accordingly, on an annual basis, the Mayor and Councilors are required to and shall submit outside employment disclosure forms to acknowledge any employment other than their Board membership.

She asked that the completed forms be returned to her.

13. MISCELLANEOUS

A. Councilor Wittman asked whether the Village should sell the Taos Mountain Lodge property as well as the ½ acre of land at the top of the Bull-of-the-Woods Road. Councilor Stagg commented that the Taos Mountain Lodge property seemed to be neither here nor there and should either be utilized or sold.

B. Councilor King asked Mayor Brownell and Village Administrator Avila to ensure that Council agendas and packets were distributed earlier than they have been recently.

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 Council Meeting on a Special Meeting and Workshop scheduled for January 10 2022 at 10:00 a.m. Via Zoom. (Note: An Emergency Meeting was held on December 20, 2021 because of an extreme weather event on December 15, 2021.)

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

The meeting adjourned at 3:40 p.m.

Christof Brownell, Mayor

ATTEST: _____

Ann M. Wooldridge, Village Clerk

John Avila
Village Administrator
Village of Taos Ski Valley Council
Monthly Briefing
February 22, 2022



*** Ongoing & Past Projects ***

COVID -19 - Pandemic Emergency:

In Taos County:

Last weeks saw continued improvement in the COVID data at all levels of geography within the United States. Cases are down across every state and all but a handful of counties in New Mexico, Colfax County being one of the exceptions. Taos County's case rate is now the second lowest in the state but still considered high by the CDC's rating system. Hospitalizations have fallen a little faster. Recent hospitalizations in New Mexico were reported to be 403, this is the lowest number since early November 2021. With cases declining, so is the positivity rate, despite the proliferation of at home testing.

Summary

- Nationally, cases were down 38%, down 35% in New Mexico, and down 42% in Taos County.
- The 7-day average daily case count in New Mexico decreased to 1,322 cases per day from 2,040 previous week. The 7-day average peaked on Friday, January 21 at a record 5,571 cases per day.
- Current hospitalizations in NM decreased 17%, the 7-day average is 519. The record stands at 932 on Dec 7, 2020.
- Average deaths per day in NM increased to 18 per day from 14 per day the prior week. But down from 23 three weeks ago.
- There were 74 new cases in Taos County last week, down from a record 127 the prior week bringing the total to 5,141.
- There was one additional death reported among Taos County residents last 2 weeks. Making seven in the last four weeks. The total increasing to 83.
- Testing in Taos County decreased to a 7-day average of 133 tests per day, down from 159 the prior week.
- Taos County's crude positivity rate is 9.8% (14-day avg). The crude daily case count is 14 cases per day (14-day avg), above the old gating target of 3.28.
- Taos County's adult fully vaccinated rate is 89%. 57% of TC adults have received the booster compared to 43% in NM.

Some businesses in the Village require testing of employees, or proof of vaccination. They plan to reinstate daily employee screening but will not be tracking employee locations when working away from the Ski Valley. On site testing availability for employees is a cost that is expected to have a higher benefit for employees. Employers and staff are encouraged to get weekly testing Tuesdays in the Taos Tent. Sign in the Curative profile ahead of time.

Symptomatic employees should be directed to Mogul Medical for Rapid Ag testing (for employees with COVID symptoms). Rapid testing is not appropriate for asymptomatic people - it is best to get a Rapid test after 24 hours and up to 5 days of symptoms. Call Mogul at (575)776-8421 to let them know you need testing. Walk-ins will be taken, but urgent care cases have priority.

Village Offices are following the NM Department of Health Order and are still OPEN for visitors and operations 9AM -4PM M-F under mask and hygiene restrictions. Office staff can still request remote Work at Home, with a work accountability.

Village requirements are to be evaluated with each DOH amendment. The Consortium did not meet last week for communication and is next scheduled for 2/24/22, Village restrictions will be reevaluated for any changes to start next week.

WWTP

To meet the needs for system expansion the Waste Water Treatment Plant is designed to process additional peak flows 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 RFP. This system procured has many times the productivity capacity requires more technical care.

The continued required corrections to the system by the manufacturer, Ovivo. The design engineer must review and approve correction of outstanding issues with Ovivo before final plant completion can be accepted.

The ongoing work for the Waste Water Treatment Plant included corrections for optimized efficiency of the Ovivo System. The Integrated Water Systems engineers and technicians are in contact to address system operations issues including monitoring programs, ceramic plate performance, improving the ultraviolet treatment and injector corrections. A letter addressing issues including monitoring programs, ceramic performance, improving the ultraviolet treatment and plumbing corrections was delivered to Ovivo to address bond requirements. We met with them, they said they would cooperate and conduct the tests required by their contract then did not. Testing had to proceed during the Thanksgiving, Christmas, New Year periods and will require further testing through the season March-April.

The lack of cooperation and performance required that we notify bonding that we will be enforcing the bond for correction of the issues. Further response and reply will continue as the bonding company investigates the request over the next few months.

A temporary plant supports the system until corrected and is anticipated to be in place through the Ski Season.

Kachina Water Tank

Water Trust Board funding for the Kachina Tank and distribution lines grant awarded for \$1,476,000 and loan for 164,000 combined is less than the \$2,239, 996 contract price for the project. Additional Water Distribution lines below Kachina Tank will also need to be constructed along with replacement of lines. These are a priority phases of the project for this year. A forensic audit to examine the cost of the tank project has not been required.

Ensuring that the water delivery is optimum, Public Works has reviewed the onsite status of operating systems for the Kachina Tank including water delivery. The project will not be accepted as final until conditions to correct segregation valves are met. Because of COVID product lead times and season demands, the correction is unlikely before end of summer 2022.

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. Recent funding documents were received signed from the Secretary to start with NOA and NTP.

EXHIBIT "A"

TERM SHEET

**\$1,640,000 WATER PROJECT LOAN/GRANT TO THE
VILLAGE OF TAOS SKI VALLEY, TAOS COUNTY, NEW MEXICO**

Project Description:

The Project is for storage, conveyance or delivery of water to end users. The Loan/Grant Amount will be used only for Eligible Items necessary to complete the Project. In particular, the Project will consist of planning, design and construction of water system improvements to include the construction of a 250,000 gallon water storage tank, approximately 750 linear feet of 8" piping, fire hydrants, booster pump station, and overflow piping and valves, and shall include such other related work and revisions necessary to complete the Project. The Project may be further described in the Application and in the final plans and specifications for the Project approved by the Water Trust Board and the Finance Authority as provided by this Agreement. However, in the event of any inconsistency, the description of the Project as stated in this Term Sheet shall control.

Grant Amount:

\$1,476,000

Loan Amount:

\$164,000

Pledged Revenues:

"Pledged Revenues" means the Net System Revenues of the Borrower/Grantee pledged to the payment of the Loan Amount and Administrative Fees pursuant to the Resolution and the Loan/Grant Agreement.

Outstanding
Senior Obligations for
Pledged Revenues:

NMED CWSRF Loan No. 1438049, Matures 2026.

Outstanding Parity
Obligations:

NMFA Loan 176-WTB, Matures 2029.

Authorizing Legislation:

Borrower/Grantee Resolution No. 2016-301,
adopted January 12, 2016

Additional Funding Amount:

\$328,000

Closing Date:

February 26, 2016

Agreement

Village of Taos Ski Valley, Loan/Grant No. 351-WTB

C-941 - CHANGE ORDER
Change Order No. 2

Owner: Village of Taos Ski Valley

Contractor: RMCI, Inc.

Engineer: FEI Engineers, Inc.

Project: Kachina Water Storage Tank

The Contract is modified as follows upon execution of this Change Order.

Description:

1. Additional pull boxes and trenching requirements to meet Kit Carson Electric standards.

Attachments:

- RFI #16 & Contractors' cost Proposal #003A

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 2,121,744.25 (NMGRT included)	Original Contract Times: _____ Substantial Completion: <u>315</u> calendar days Ready for Final Payment: <u>345</u> calendar days (calendar days)
Increase from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : \$ 25,623.54 (NMGRT included)	Increase from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : Substantial Completion: <u>3</u> calendar days Ready for Final Payment: <u>3</u> calendar days (calendar days)
Contract Price prior to this Change Order: \$ 2,147,367.79 (NMGRT included)	Contract Times prior to this Change Order: Substantial Completion: <u>318</u> Ready for Final Payment: <u>348</u> (calendar days)
Increase of this Change Order: \$ 92,628.40 (NMGRT included)	Increase / Decrease of this Change Order: Substantial Completion: <u>10</u> calendar days Ready for Final Payment: <u>10</u> calendar days (calendar days)
Contract Price incorporating this Change Order: \$ 2,239,996.19 (NMGRT included)	Contract Times with all approved Change Orders: Substantial Completion: <u>328</u> Ready for Final Payment: <u>358</u> (calendar days)

RECOMMENDED:

By: Steve G. Omer
Engineer (Authorized Signature)
Print Name: Steve Omer
Title: Project Engineer Date: 10/22/18

ACCEPTED:

By: Mark G. Frattrick
Owner (Authorized Signature)
Print Name: Mark G. Frattrick
Title: Village Administrator Date: 31 Oct 2018

RECEIVED:

By: Clay Blair
Contractor (Authorized Signature)
Print Name: Clay Blair
Title: President Date: 11-6-18

APPROVED:

By: NMED CPB
Funding Agency (Authorized Signature)
Print Name: Andrea Telmo
Title: Project Manager Date: 2018.11.14 16:26:48 -07'00'

Digitally signed by Andrea Telmo
DN: dc=us, dc=nm, dc=state,
dc=nmenv, ou=NMENV Users,
ou=wpd, ou=cpb, cn=Andrea Telmo,
email=andrea.telmo@state.nm.us
Date: 2018.11.14 16:26:48 -07'00'

Village Complex

The office assignment of the Police Department replaced the previous 20year assignment to a construction trailer. The trailer was surplus and removed. The Village Offices at the “Taos Mountain Lodge” location are housed in separate units. The Building Inspector, Public Safety Housing EMS/Fire, Police and Fire Administration Offices are currently housed in Village Apartment units. The use of the units as office space and EMS bunking has reduced the average cost per unit of sewage pumping and utilities predicted at \$80,000 annually.

Housing the Fire Administrative Office on site also allows the Main Fire Station to have overnight bunking near the equipment for other emergency staff. 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 Staff the Administration office with at least two part time paid staff. Although having other duties that 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.

There is increased interest among employees for housing at the Village Complex, but the operation is an enterprise fund and must produce enough revenue to cover expenses or be part of compensation.

Asked to participate in the effort of finding options to USPS moving down Valley, the property was the only option in the Village at the time.

Facility Undergrounding

The joint trench installation of underground electricity with gas line expansion from Coyote – Phoenix is delayed by shortages in qualified operators. 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 eventually 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. Joint trenching can also be used to install NM Gas along Twinning with customers paying as their connections are made.

Kit Carson Electric Cooperative is awaiting an answer after again submitting application with NMDOT for access on the south side of the highway. We don't have a report of progress with NMDOT. KCEC The work to obtain permission to underground in some locations due to US Forest Service property, continues for the north side of NM 150. A small amount was paid to KCEC in the summer to provide material and service along the alley.

The Village excavation contractor is waiting approval to start work on NM 150.

Reminder: Once the underground service is available near a property, the 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.

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.

Plan of Finance

The Village Financial Advisor, Stiffel created a Plan of Finance model. The rescheduled Work Study for review of the POF was held January 10, 2022 and the final report will include Q&A from the public. At the project meeting with Stiffel in August, TSVI was invited to review the information to date and share data. Stiffel and TSVI met and TSVI information about capital expenditure, property tax, GRT allotment and expected growth trends.

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, predicable development fees and charges for accessing public facilities are not formalized but assumptions are included for a basis of analysis.

The Impact/Development Fee process is statutorily created to help fund expansion of systems and facilities and the burden is not transferred solely to the tax/rate payer. Knowing the level of development fee support will assist in the creation of the POF.

The Development impact fees currently in the POF are from recommendations of the CIAC process, however it is the Development Ordinance considered today that will determine the share of costs supported by DIF **AGENDA ITEM**

In order to get the best picture, the POF should take into account all variables. Audit of the Village financial status is important to assumptions for POF. The Village water and sewer enterprise funds are increasingly subsidized by the General Fund. When using general fund dollars in an enterprise fund, it is advisable that the transaction be a loan with a prescribed repayment schedule. The DIF for water and sewer are also considered on the Agenda.

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.

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.

Legislative Priorities are asked for in the legislative process to focus on providing legislative capital outlay for a focused selection of projects throughout the state. Municipalities are asked to pass a resolution before the calendar year end identifying their top legislative priority. The request for project funding includes not only priorities but also other infrastructure projects. Some Village projects are included in the "Green Corridor" Clean Energy Transportation and Recreation Corridor request. The Firehouse project has the most critical need for funding \$2,500,000 from the legislature and a grant writer is being sought to help apply for other funding.

TIDD –

Entry Road development by Taos Ski Valley Inc. has been presented to the Village at the Council WorkShop 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.

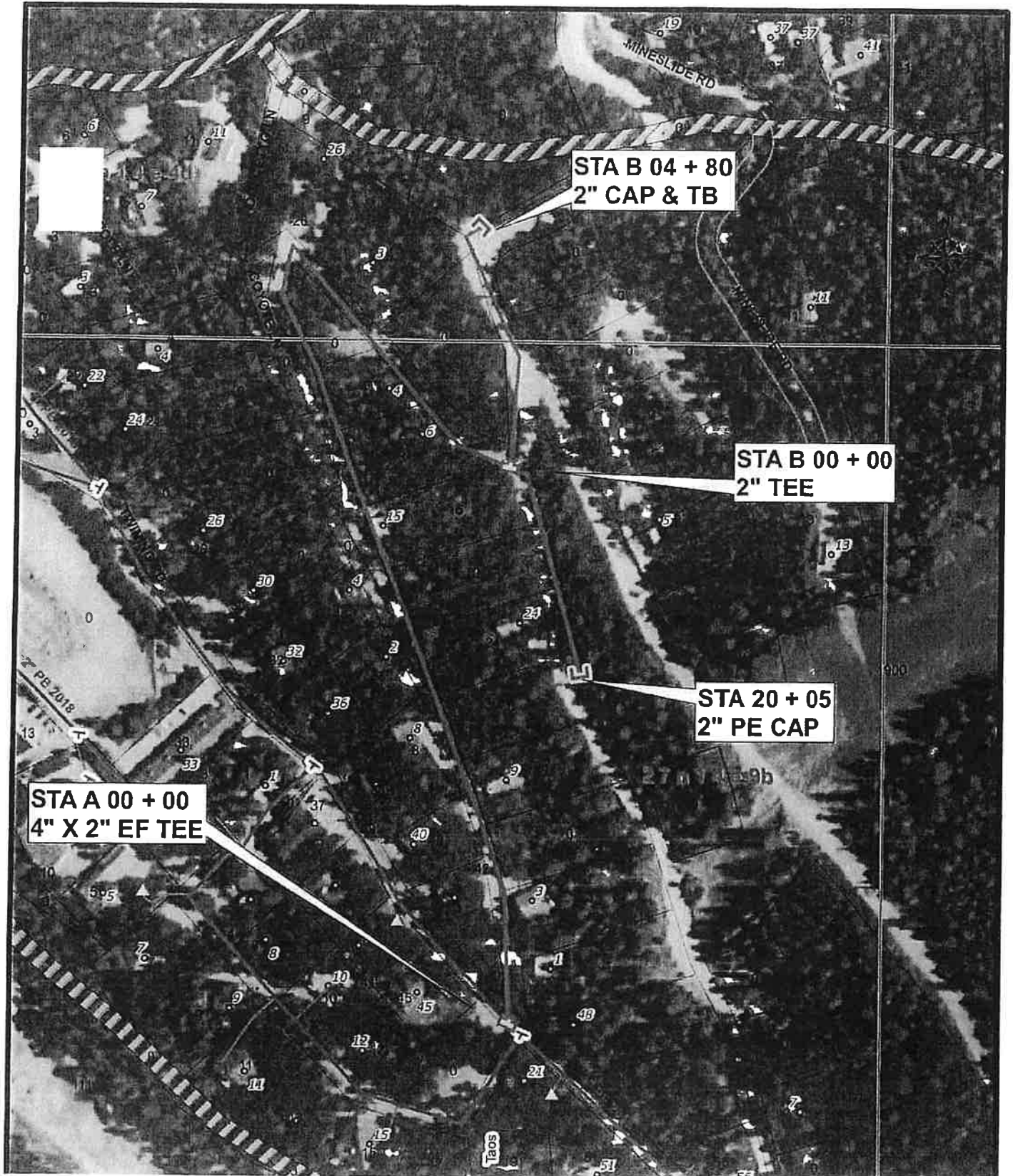
Construction is completed and landscaping along the project for Thunderbird/Ernie Blake Roads projects is ongoing. Public Safety signage is ready and is an Agenda item.

Compiling detailed financial documents for Strawberry Hill projects assists inspection for dedication being reviewed. Assignment of costs without, contract and invoice backup, requires more time for review. 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. Questions have come up that the TIDD Board can review and rule upon, or ask the Developer for more specific back up.

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 and correction for the misdirected payments is now addressed immediately. TIDD is a separate political subdivision of the State and the Board has fiduciary responsibility for oversight of those taxpayer dollars that pay the Tax Increment Funds Bond.

Items

E2342789 2" MLX ~2485' JT CUSTOMER TRENCH
NMGC CREW & INSPECTOR REQ, ODORANT TEST
CUSTOMER TO PROVIDE EXCAVATION, COUNTY PERMIT,
PADDING, HAUL OFF, TRAFFIC CONTROL DENSITY TESTING
& TRAFFIC CONTROL FOR NMGC TO TIE IN TO 4" MAIN.





NEW MEXICO GAS COMPANY

Page 1 of 3

LINE EXTENSION AGREEMENT NO.
E2342789

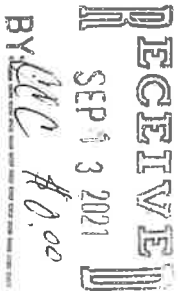
THIS AGREEMENT is made and entered into this 23 day of August, 2021, by and between New Mexico Gas Company, Inc., a Delaware corporation ("Company") and The Village of Taos Ski Valley, ("Customer"). Customer and Company hereby agree as follows:

1. Customer is requesting the Company to provide gas service to the following described property or real estate:
NMGC to install approximately 2,485 feet of 2-inch PE main in a customer provided joint trench. Customer will provide excavation, padding, 95% of Compaction, Traffic Control, Density Testing, County permit and traffic for tie in location. NMGC will provide material, testing, labor, inspection and miscellaneous
2. To provide service to this property will require an extension of the Company's gas distribution system (the "Line Extension") described as follows:
25 lots on Coyote Lane, Taos Ski Valley, NM 87525
3. The Customer agrees to pay for the Line Extension Cost as indicated below. The Customer understands the Cost Estimate and Revenue Credit determinations are final and no additional credits will be given.

Total Minimum Line Extension Cost Estimate	<u>\$17,309.14</u>
Less: Lot Credit, if applicable	<u>\$17,575.00</u>
Less: Revenue Credit, if applicable	<u>\$0.00</u>
Less: System Improvement, if applicable	<u>\$0.00</u>
Less: Infrastructure Expansion Matching Fund, if applicable	<u>\$0.00</u>
GRT District Number <u>20-414</u>	Gross Receipts Tax <u>\$0.00</u>
Amount Due From Customer	<u>\$-265.86</u>

4. The amount due from the Customer under paragraph 3 must be paid in full in advance of any construction.
5. It is understood and agreed that the facilities installed hereunder shall be and remain the property of the Company, and the Company shall, subject to the terms and conditions of this Agreement, assume full responsibility for future operation and maintenance of said facilities.
6. Service furnished hereunder will be in accordance with the Company's Rules and Regulations and pursuant to the rate schedules applicable to the type of service required. The Company's Rules and Regulations and rate schedules are on file with the New Mexico Public Regulation Commission ("NMPRC" or "Commission") and are incorporated herein by reference and made a part of the Agreement.

NMGC0 #3074407



Council Notes for February 22, 2022 Meeting:

Revenues:

GRT : This month last year: \$122,193

This month this Year: \$101,812

Last Year YTD: \$623,328

This Year YTD: \$628,940

Lodgers Tax:

This month last year: \$55,290.11

This Month this year: \$ 110,392

YTD Last year: \$129,318 YTD This year YTD: \$262,981

REVENUES:

- We received \$11,237 in hold harmless GRT revenue in January which will be transferred to the USDA fund for monthly loan payments and reserves for the WWTP
- GRT is up approximately 5%
- Combined Water and sewer sales are up 11% from last year
- Lodger's tax collections are up 100%
- Building permits are down 54%
- Village received \$245,455 in property tax collections in January 2022. Collections are down 27%.
- **EXPENSES:**
- Outside contractors is down 52%. FY21 water tank and KCEC undergrounding. Nothing big in FY2022 yet. KCEC stalled due to labor shortages.
- Advertising is up. We have been advertising for EMS, Police, public works
- Audit expense is down from last year. We had to do a single audit last fiscal year because of the USDA loan.

Net income at the end of December \$372,728.83. Less Fire Loan disbursement revenue (\$454,115):

Actual Net LOSS: (\$81,386)

Fire Department:

The fire department received \$127,434 in FY2021 in grant revenue. In FY2022 the Village will receive \$212,806. This increase of \$85,372 is based on the new administrative office requirements. The current fund balance in Fire fund 18 as of January 31, 2022, is \$469,514. Including reserves but excluding the loan revenue. We anticipate receiving the 2nd halve of the fire disbursement in February 2022.

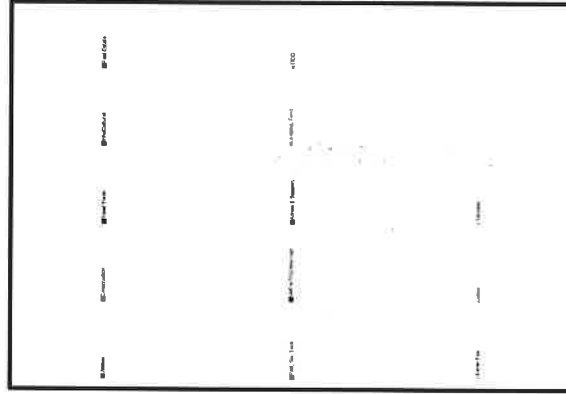
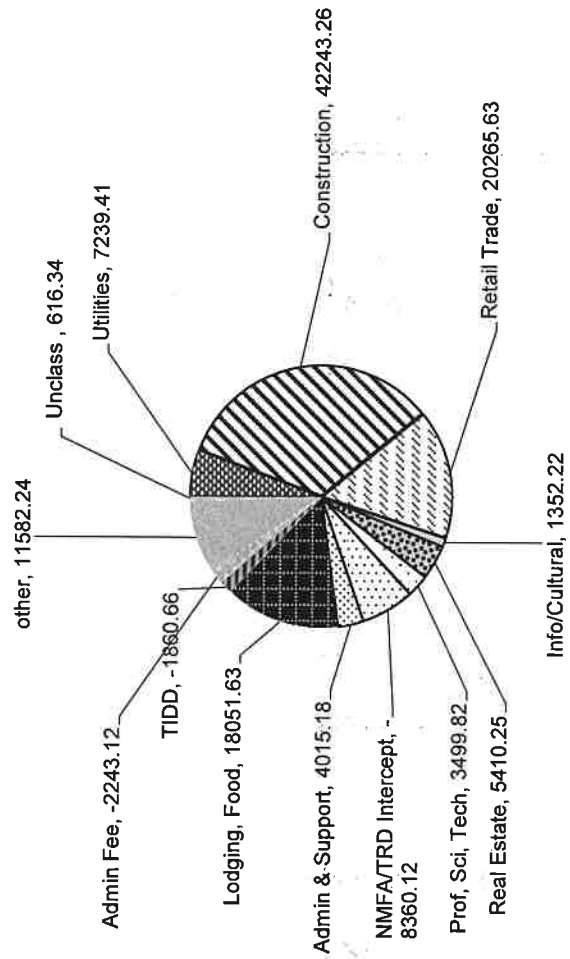
January Ending balance: Water fund \$8,829 (This includes the transfer of \$20,000 in Sept)

Sewer Fund \$19,438 (No transfer was made to the sewer fund)

OTHER:

- There are postings for the positions of: Police officer, EMS/fire and Public Works Laborer and Superintendent.

Village of Taos Ski Valley Gross Receipts Distribution January 2022



9:19 AM

02/14/22

Cash Basis

VILLAGE OF TAOS SKI VALLEY

Profit & Loss Prev Year Comparison

July 2021 through January 2022

	Jul '21 - Jan 22	Jul '20 - Jan 21	\$ Change	% Change
Ordinary Income/Expense				
Income				
4016 · Revenue - GRT ITG Telecom	148.49	0.00	148.49	100.0%
4017 Revenue GRT Comp Tax	8,196.76	0.00	8,196.76	100.0%
4012 · REVENUE -Water Sales	100,422.13	90,093.90	10,328.23	11.5%
4013 · Revenue - Sewer	382,344.24	342,328.35	40,015.89	11.7%
4018 · REVENUE- GRT HB 6	253.34	633.34	-380.00	-60.0%
4019 · REVENUE-Hold Harmless GRT	85,209.35	95,142.56	-9,933.21	-10.4%
4020 · REVENUE - GRT MUNICIPAL	422,625.89	218,399.22	204,226.67	93.5%
4021 · REVENUE - GRT- STATE	193,451.05	388,143.85	-194,692.80	-50.2%
4025 · REVENUE -LIQUOR LICENSES	1,250.00	215.00	1,035.00	481.4%
4026 · REVENUE - BUSINESS LICENSE	4,305.00	3,010.00	1,295.00	43.0%
4027 · REVENUE - OTHER	47,872.47	53,949.14	-6,076.67	-11.3%
4028 · REVENUE - GASOLINE TAX	3,143.11	3,091.33	51.78	1.7%
4029 · REVENUE - LODGER'S TAX	262,981.68	129,318.83	133,662.85	103.4%
4031 · REVENUE - PARKING FINES	35.00	610.00	-575.00	-94.3%
4034 · REVENUE - MOTOR VEHICLE FEES	10,305.67	10,111.17	194.50	1.9%
4035 · REVENUE - BUILDING PERMITS	12,298.48	26,840.57	-14,542.09	-54.2%
4036 · REVENUE -Licenses/Permits Other	760.00	90.00	670.00	744.4%
4037 · REVENUE - GENERAL GRANTS	28,104.50	381,223.75	-353,119.25	-92.6%
4040 · REVENUE - WATER CONNECTION FEES	0.00	4,699.36	-4,699.36	-100.0%
4041 · REVENUE - SEWER CONNECTION FEES	0.00	3,784.18	-3,784.18	-100.0%
4046 · REVENUE - SOLID WASTE FEE	40,342.97	37,388.37	2,954.60	7.9%
4047 · REVENUE - OTHER OPERATING	4,705.53	1,906.07	2,799.46	146.8%
4049 · REVENUE - FIRE GRANTS	106,403.50	101,958.80	4,444.70	4.4%
4050 · REVENUE - IMPACT FEES	0.00	6,873.40	-6,873.40	-100.0%
4058 · Plan Review Fees	1,323.77	6,535.92	-5,212.15	-79.8%
4059 · Proceed NMFA Issuance of Debt	454,115.50	0.00	454,115.50	100.0%
4100 · Miscellaneous Revenues				
4110 · Misc Revenue- TIDD reimburse	3,806.56	5,036.88	-1,230.32	-24.4%
Total 4100 · Miscellaneous Revenues	3,806.56	5,036.88	-1,230.32	-24.4%
4190 · Rental Fees	6,000.00	9,450.00	-3,450.00	-36.5%
7004 · REVENUE - FINANCE CHARGE ON W/S	2,037.70	1,704.13	333.57	19.6%
7005 · REVENUE - INTEREST INCOME	3,607.39	6,933.11	-3,325.72	-48.0%
7006 · REVENUE -INVESTMENT INTEREST	251.74	6,282.52	-6,030.78	-96.0%
7007 · REVENUE - INTEREST IMPACT FEES	32.16	35.29	-3.13	-8.9%
7010 · REVENUE - AD VALOREM TAX	262,592.26	360,757.96	-98,165.70	-27.2%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
Total Income	2,448,926.24	2,296,547.00	152,379.24	6.6%
Gross Profit	2,448,926.24	2,296,547.00	152,379.24	6.6%
Expense				
4082 · DEBT SERV - 2007 WWTP LOAN PRIN	95,422.70	94,291.21	1,131.49	1.2%
4083 · DEBT SERV. - 2007 WWTP LOAN INT	5,864.43	6,995.92	-1,131.49	-16.2%
6100 · Salary and Benefits				
6112 · SALARIES - STAFF	596,193.21	611,345.52	-13,152.31	-2.2%
6113 · SALARIES - ELECTED	19,696.05	21,009.12	-1,313.07	-6.3%
6114 · SALARIES - PART TIME	0.00	3,055.00	-3,055.00	-100.0%
6115 · Overtime salaries	9,088.70	4,792.85	4,295.85	89.6%
6121 · WORKER'S COMP INSURANCE	20,612.00	20,514.44	97.56	0.5%
6122 · HEALTH INSURANCE	122,222.57	118,929.98	3,292.59	2.8%
6125 · FICA EMPLOYER'S SHARE	38,174.14	39,049.85	-875.71	-2.2%
6126 · WORKMAN'S COMP PERSONAL ASSESS	159.10	167.70	-8.60	-5.1%
6127 · SUTA STATE UNEMPLOYEMENT	645.48	522.40	123.08	23.6%
6128 · PERA Employer Portion	53,790.68	56,800.65	-3,009.97	-5.3%
6130 · HEALTH INCENTIVE - SKI PASS/GYM	600.00	600.00	0.00	0.0%
6133 · Life Insurance	550.31	567.97	-17.66	-3.1%
6134 · Dental insurance	7,888.20	7,613.67	274.53	3.6%
6135 · Vision Insurance	1,385.49	1,342.83	42.66	3.2%
6136 · FICA -EMPLOYER SHARE MEDICARE	8,927.85	9,132.60	-204.75	-2.2%
Total 6100 · Salary and Benefits	881,933.78	895,444.58	-13,510.80	-1.5%
6220 · OUTSIDE CONTRACTORS	320,157.42	601,497.55	-281,340.13	-46.8%
6225 · ENGINEERING	2,064.92	80,544.04	-78,479.12	-97.4%
6230 · LEGAL SERVICES	43,306.55	79,986.44	-36,679.89	-45.9%
6242 · ACCOUNTING	10,097.88	8,092.47	2,005.41	24.8%
6244 · AUDIT	24,811.25	33,441.25	-8,630.00	-25.8%
6251 · WATER PURCHASE, STORAGE	216.46	194.92	21.54	11.1%
6252 · INTERNET	5,004.48	1,877.26	3,127.22	166.6%
6253 · ELECTRICITY	45,303.37	50,632.10	-5,328.73	-10.5%
6256 · TELEPHONE	9,579.43	10,170.11	-590.68	-5.8%
6257 · RENT PAID	750.00	0.00	750.00	100.0%
6258 · WATER CONSERVATION FEE	159.34	225.97	-66.63	-29.5%
6259 · Natural Gas	6,165.82	1,851.41	4,314.41	233.0%

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02/14/22

Cash Basis

VILLAGE OF TAOS SKI VALLEY

Profit & Loss Prev Year Comparison

July 2021 through January 2022

	Jul '21 - Jan 22	Jul '20 - Jan 21	\$ Change	% Change
6270 · LIABILITY & LOSS INSURANCE	87,390.04	88,542.83	-1,152.79	-1.3%
6310 · Advertising	2,971.02	592.35	2,378.67	401.6%
6312 · CHEMICALS & NON DURABLES	8,076.06	7,898.41	177.65	2.3%
6313 · MATERIAL & SUPPLIES	59,761.03	69,386.90	-9,625.87	-13.9%
6314 · Dues/fees/registration/renewals	5,773.05	5,653.31	119.74	2.1%
6315 · BANK CHARGES	1,160.64	1,175.74	-15.10	-1.3%
6316 · Software	6,293.99	6,367.56	-73.57	-1.2%
6317 · Personal Protective Equipment	4,017.34	9,971.71	-5,954.37	-59.7%
6318 · Postage	1,045.00	1,342.90	-297.90	-22.2%
6320 · EQUIPMENT REPAIR & PARTS	2,608.26	21,291.32	-18,683.06	-87.8%
6321 · BUILDING MAINTENANCE	55.80	45.14	10.66	23.6%
6322 · SMALL EQUIP & TOOL PURCHASES	30,849.69	24,083.30	6,766.39	28.1%
6323 · SYSTEM REPAIR & PARTS	1,618.50	0.00	1,618.50	100.0%
6331 · OUTSIDE TESTING SERVICES	1,938.43	2,941.70	-1,003.27	-34.1%
6332 · EQUIPMENT RENTALS	47,139.02	5,585.00	41,554.02	744.0%
6417 · VEHICLE MAINTENANCE	9,507.73	10,484.88	-977.15	-9.3%
6418 · FUEL EXPENSE	10,901.12	10,671.02	230.10	2.2%
6432 · TRAVEL & PER DIEM	788.79	0.00	788.79	100.0%
6434 · TRAINING	3,304.73	1,138.41	2,166.32	190.3%
6435 · Training Elected Officials	349.64	0.00	349.64	100.0%
6560 · Payroll Expenses	0.00	0.00	0.00	0.0%
6570 · Other Operations Expenses	14,237.99	11,469.42	2,768.57	24.1%
6712 · LAB CHEMICALS & SUPPLIES	4,996.99	6,025.49	-1,028.50	-17.1%
6716 · LAB TESTING SERVICES	4,743.33	3,794.21	949.12	25.0%
6720 · LAB OUTSIDE CONTRACTORS	0.00	0.00	0.00	0.0%
8322 · CAPITAL EXPENDITURES	38,522.50	29,166.78	9,355.72	32.1%
8325 · EQUIPMENT & TOOL PURCHASE	0.00	19,056.35	-19,056.35	-100.0%
8421 · NMFA Interest TML #TAOS55	19,446.30	19,719.74	-273.44	-1.4%
8422 · CWSRF 052 Principal	69,990.04	69,990.04	0.00	0.0%
8423 · CWSRF 052 Interest	2,550.00	2,550.00	0.00	0.0%
8428 · Debt Service GRT FY2020 repay	18,176.55	18,176.55	0.00	0.0%
8430 · USDA FY20 Interest Expense	95,523.84	102,557.77	-7,033.93	-6.9%
8431 · USDA FY20 Principal Expense	71,622.16	64,588.23	7,033.93	10.9%
Total Expense	2,076,197.41	2,479,512.29	-403,314.88	-16.3%
Net Ordinary Income	372,728.83	-182,965.29	555,694.12	303.7%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO (IN) FUND	-801,112.48	-1,106,713.72	305,601.24	27.6%
9002 · TRANSFER FROM (OUT) FUND	801,112.48	1,106,713.72	-305,601.24	-27.6%
Total Other Expense	0.00	0.00	0.00	0.0%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	372,728.83	-182,965.29	555,694.12	303.7%

FY2022 TIDD GRT Distribution

Date	VTSV Increment	State Increment	Admin Fees	Pay Backs	Total TIDD	NMTA & US	Hold Harmless	VTSV Cash
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	15,512.90	24,537.46	(291.97)		39,758.39	8,360.12	14,367.03	114,462.17
11/15/2021	16,468.83	25,649.56	(312.79)		41,805.60	8,360.12	11,695.48	87,852.52
12/15/2021						8,360.12	13,823.32	130,134.55
1/15/2022						8,360.12	11,237.00	101,812.08
2/16/2022								
3/22/2022								
4/20/2022								
5/15/2022								
6/16/2022								
TOTAL FY22	109,695.50	156,125.93	(2,061.18)	-	263,760.25	58,520.84	85,208.80	628,940.45
TOTAL FY2016-FY2022	4,426,226.63	3,553,307.31	(65,893.70)	(80,952.08)	7,833,420.80	433,897.13	1,000,927.28	10,049,711.65

No TIDD distribution in December

Village Baseline

Month GRT is Generated	Month GRT is Reported to State	Month GRT is Mith 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

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 2012	\$64,073.01	\$26,203.38	\$23,181.89	\$42,430.30	\$80,186.45	\$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	\$86,674.98	\$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	\$208,668.75	\$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	\$29,864.17	\$48,702.07	\$58,630.68	\$75,354.62	\$89,599.77	\$118,550.59	\$207,717.57	\$250,972.85	\$212,959.98	\$187,022.24	\$243,419.70	\$35,925.42
YTD	\$29,864.17	\$78,566.24	\$137,196.92	\$212,551.54	\$302,151.31	\$420,701.90	\$628,419.47	\$879,392.32	\$1,092,352.30	\$1,279,374.54	\$1,522,794.24	\$1,558,719.66
FY 2019	\$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
FY 2020	\$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
FY 2021	\$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
FY 2022	\$68,717.19	\$41,194.60	\$84,767.28	\$114,462.17	\$87,852.52	\$130,134.55	\$101,812.08					
YTD	\$68,717.19	\$109,911.79	\$194,679.07	\$309,141.24	\$396,993.76	\$527,128.31	\$628,940.39	\$628,940.39	\$628,940.39	\$628,940.39	\$628,940.39	\$628,940.39

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 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	\$17,975.88	\$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	\$15,938.00	\$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	\$26,765.37	\$22,996.72	\$22,728.29	\$23,037.99	\$110,392.10					
YTD	\$18,245.95	\$57,061.21	\$83,826.58	\$106,823.30	\$129,551.59	\$152,589.58	\$262,981.68	\$262,981.68	\$262,981.68	\$262,981.68	\$262,981.68	\$262,981.68

Monthly Public Safety Report

Jan-22

Law Enforcement	R. Salazar	V. Vigil	J. Gladeau	Totals	Last Year 202
911 Hang Up					1
Abandoned Vehicle	1			1	0
Alcohol Offense - Adult	1		1	2	1
Assists to other Agencies	3	1	3	4	3
B & E / Burglary			1	1	0
Battery or Assault		1	2	3	1
Business Alarm			1	1	1
Citizen Assists/Contacts	60	40	65	165	123
Disorderly /Disturbance	1		1	2	1
Foot Patrol Hours	40 20-		42	102	123
Found/Lost Property	1		1	2	0
Fraud Complaint	1			1	0
Larceny	1			1	0
Law Unknown/Information	1	1	1	3	2
MVC's	2		1	3	3
Parking Citations		2	1	3	12
Private Property Crash	1		6	7	2
Reckless Driver	1			1	3
Suspicious Persons/Vehicles	1		1	2	0
Theft	1		1	2	0
Traffic Enforcement Hours	16	10	16	42	83
Traffic Hazard	1	1	1	3	2
Traffic Stops	2	2	2	6	15
Tresspass Warnings	1	1	1	3	1
Verbal Warnings	2	6	2	10	15
Written Warnings	1			1	0
Fire Alarm	1		2	3	1
Fire Calls			2	2	2
Fire/EMS	3		2	5	2

Monthly Accomplishments for January 2022

We were able to hire an experienced certified Police Officer II, Officer James Gladeau. Officer Gladeau was issued equipment, and the required Firearms training and proper department procedures. Officer Gladeau was trained and was then released on his own to respond and handle Police Duties.

I was able to get a hold of the Department of Transportation (DOT) and have an onsite assessment of the signage of the traffic signs in the Village limits, on State Road 150. I requested the signs to be a uniform speed of 35 MPH on both lanes. I also requested seat belt signs, lower gear signs and a blind curve sign or emergency vehicles exits sign for the Village Complex and Police Department's entrance/exit. The DOT Official, Mr. Chris Ortiz granted my request and said they would order the signs and install them in the next 4 to 6 months.

I was also able to meet with the Public Works Director, Anthony Martinez and Fire Chief Robert Molina. We were able to conduct a plan to use the appropriate signs for Ernie Blake Road. After the plan was conducted Public Works was able to order and install them (refer to attached google maps for the signs installed). A request for a resolution for the signs was drafted and will be requested at this time. The resolution will be attached to this report.

Report for Taos Ski Valley Fire Rescue

Month of January 2022

Calls

- Fire Calls
 - 2 Elevator Rescue
 - 2 Cancel

- EMS/SAR
 - 7 EMS call
 - 1 EMS Cancel
 - 3 EMS assist for Care Flight
 - 1 First Response assist to TCA
 - 1 EMS transport to TCA
 - 1 Motor vehicle accident

Total calls for January are 11

New Fire engine to arrive between the beginning and middle of March

TSVFR, VTSV, and TSVI with assistance from NMSFMO working on coordinated effort to construct and additional fire station near existing fire station on Fire House Road.

Inspections performed residential: 2

Inspection in response to complaint: 0

Enforcement actions: 0

Inspections performed multi-family and commercial: 1

Permits issued since last council meeting:

0_ new residential building.

0_ residential repair/remodel

0_ residential demolition

0_ new commercial buildings permitted.

0_ commercial or multifamily repair/remodel permitted.

0_ demolition commercial permitted.

0_ Projects currently in application or submission review.

1_ Commercial project in discussion of pending submission.

Narrative of other activities:

1. Provided access and hosted the Municipal League carrier's insurance adjuster on February 8 for inspection of damage to the Police Office from the December 15th weather event.

After providing him requested data about the building he replied that a structural assessment by an engineering firm will be performed when they become available.

2. Planning for administration of the Non-Federal Lands Grant has ramped up as a draft Memorandum of Agreement with State Forestry is on the Current Council Agenda for discussion and possible signing.

3. These activities include finalizing application materials for landowners, planning of publicity activities to encourage participation, gathering relevant mapping and data about Village properties and their levels of fire risk, timelines for activities of Grant execution and planning for an oversight Board.

4. Determination of relevant trainings from among available in person and virtual events that provide CEU's necessary to maintain the professional certification with ICC, "Certified Building Official".

Planning & Community Development Department
Monthly Report to the Village Council
February 2022

Projects Updates and Key Initiatives:

Twining Road Reconstruction Project - Preliminary engineering and design completed. Intent remains to have all engineering and design work completed during 2022. Funding obtained FY 2021 to completed final project design and engineering. Drainage, utility, and grade improvements are significant project components. Actively seeking funding for the estimated \$5-7M necessary to begin construction.

Water Study Report - Project has evolved into a collaboration effort between TSVI and the Village. Report completed in December and was presented to P&Z for review and discussion during February meeting. 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 and medium-term future. Report will delineate how much water supply remains to serve new and projected development. The concise summary report will help guide land use planning and development decision making. This report will lead into the much larger and required Water infrastructure Plan later this year.

Development Impact Fees Updated Study - Ordinance update and new fee schedule to comply with the NM Development Fees Act to be considered at February Council meeting.

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 recurrent procurement issues, putting at-risk Village residents, visitors, and property. Necessary fieldwork will now not be initiated until summer 2022 or later.

TSVI/Firehouse Project - Submission of site planning and Certificate of Compatibility documents received mid-January and are currently under staff review.

Planning GIS Office - Ongoing task/project work includes continued coordination on E911 NexGen Compliance and address updating, Village trail system mapping and dashboard

development, Village public roads inventory and map, staff training on GIS functionality and to improve workflow efficiency, and wildland fire rating system development.

AmeriCorps Program Coordination - The Village is presently hosting an AmeriCorps Member during the 2021-22 program year. Scotney Blackburn began her service year with the Village on October 12th. Until late August 2022, she will be assisting the Village Park & Recreation Committee on numerous tasks and activities such as trail design and construction, signage, special events, and community outreach. In addition, she will be supporting the FireWise Committee on wildfire mitigation measures and Village-wide property fire hazard assessments as well as expanding the Village's social media presence. Recently, a new LANL grant application was submitted for Village Trails signage in the Kachina Basin and the JR Tail.

Planning Commission Meetings - Next scheduled meeting is March 7, 2022.

PUBLIC WORKS UPDATE
February 22, 2022

- **Water:**
 - Monthly sampling
 - Maintenance and Repairs
 - Water usage was down 3.85% from the month of December 2021.
- **Wastewater:**
 - Plant Operations
 - EPA inspection of the Wastewater Treatment Plant
 - Had a couple of excursions:
 - Total Nitrogen and Ammonia
 - Startup of two additional treatment trains for the OVIVO system testing
 - Interruption of the Nitrogen cycle
 - Cold temperatures with the temporary treatment plant
 - Weakened biology due to the change in process and increased flows

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	CFU	CFU		TKN + NO ₃ + NO ₂	TKN + NO ₃ + NO ₂
6	8.10	4.72	7.17	0.30	0.17	11.00	6.41	0.08	0.05	0.070	1.00	1.00	6	17.30	10.09
12			7.43			0.42	0.13	0.06	0.02	0.037			12	5.26	1.64
19	2.00	0.68	7.48	0.28	0.09	0.42	0.14	0.07	0.02	0.041	1.00	1.00	19	3.93	1.33
26			7.46			0.42	0.17	0.13	0.05	0.050			26	4.51	1.87
Total		5.40			0.27		6.86		0.14	1.568			Total	Total Nitrogen	
7 Day Avg (AVG)	8.10	4.72	7.60	0.30	0.17	11.00	6.41	0.13	0.05	0.087	1.00	1.00	7 Day Avg	17.30	10.09
Min	2.00	0.68	7.08	0.28	0.09	0.42	0.13	0.06	0.02	0.004	1.00	1.00	Min	mg/L	lb/d
30 Day Avg (AVG)	5.05	2.70		0.29	0.13	3.07	1.71	0.09	0.04	0.051	1.00	1.00	30 Day Avg	7.75	3.73
98.75					99.93										
Frequency	2		31	2		4		4		31	2	2			
	BOD Data		pH	TSS		NH ₃		Total P		Flow, MGD	E.Coli	Fecal			

- Staff
 - We still have two open positions in Public Works.
- Testing OVIVO equipment for the plant upgrade for contract completion.
 - Testing to prove plant capacity
 - Flux testing – Confirm sustainable flux at a target Mixed Liquor Suspended Solids (MLSS).
 - MLSS testing - Determine the maximum sustainable MLSS at the target flux.
 - Temperature Effect – Test to quantify the impact of the colder water temperature on plant performance.
 - IWS support
 - Set up a temporary treatment facility for system backup during the tests and high flow situations.
- Plant and Collections Update

- Compared to the flow in 2021, we are up 16.64% for the month of January.
- Roads:
 - Continue to maintain drainage along the roadway
 - Cleaning of the Drop Inlets (DI's) and bar ditch maintenance
 - Plowing Snow
 - Opening snow storage areas
- Equipment
 - Routine equipment maintenance
 - Maintenance of the equipment for snow removal
 - Snow Chains on equipment
- General Public Work tasks
 - Housekeeping in the buildings
 - Housekeeping around the Wastewater Treatment Plant

DMR Copy of Record

Permit: NM0022101 Yes	Permittee: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. TAOS SKI VALLEY, NM 87525	Facility: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. TAOS SKI VALLEY, NM 87525
Permitted Feature: 001 External Outfall	Discharge: 001-A TREATED MUNICIPAL WASTEWATER TO THE RIO HONDO	
Report Dates & Status Monitoring Period: From 12/01/21 to 12/31/21 Considerations for Form Completion	DMR Due Date: 01/15/22	Status: NoDMR Validated
Principal Executive Officer First Name: Anthony Last Name: Martinez	Title: Public Works Director	Telephone: 575-776-8220
No Data Indicator (NODI) Form NODI:		

Code	Parameter Name	Monitoring Location	Season #	Param. NODI	Qualifier 1	Value 1	Qualifier 2	Value 2	Units	Qualifier 3	Value 3	Units	# of Ex.	Frequency of Analysis	Sample Type
00310	BOD, 5-day, 20 deg. C	1 - Effluent Gross	0	-	Sample	0.37	=	0.42	26 - lbd	2.0	=	19 - mg/L	0	0230 - Twice Per Month	24 - COMP24
					Permit Req. Value NODI	<=		35.77 DA AVG	26 - lbd	<=	45.07 DA AVG		0	0230 - Twice Per Month	24 - COMP24
00400	pH	1 - Effluent Gross	0	-	Sample		=			7.2	=	12 - SU	0	05DW - 5 Days Every Week	GR - GRAB
					Permit Req. Value NODI		=			6.6 MINIMUM	=	12 - SU	0	05DW - 5 Days Every Week	GR - GRAB
00530	Solids, total suspended	1 - Effluent Gross	0	-	Sample	0.02	=	0.02	26 - lbd	0.1	=	19 - mg/L	0	0230 - Twice Per Month	24 - COMP24
					Permit Req. Value NODI	<=		35.77 DA AVG	26 - lbd	<=	45.07 DA AVG		0	0230 - Twice Per Month	24 - COMP24
X 00600	Nitrogen, total [as N]	1 - Effluent Gross	0	-	Sample	2.89	=	13.14	26 - lbd	7.45	=	19 - mg/L	1	0107 - Weekly	24 - COMP24
					Permit Req. Value NODI	<=		20.57 DA AVG	26 - lbd	<=	12.37 DA AVG		1	0107 - Weekly	24 - COMP24
X 00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	0	-	Sample	1.6	=	6.09	26 - lbd	3.77	=	19 - mg/L	3	0230 - Twice Per Month	24 - COMP24
					Permit Req. Value NODI	<=		5.347 DA AVG	26 - lbd	<=	3.27 DA AVG		3	0230 - Twice Per Month	24 - COMP24
X 00665	Phosphorus, total [as P]	1 - Effluent Gross	0	-	Sample	0.06	=	0.18	26 - lbd	0.20	=	19 - mg/L	1	0230 - Twice Per Month	24 - COMP24
					Permit Req. Value NODI	<=		1.27 DA AVG	26 - lbd	<=	0.757 DA AVG		1	0230 - Twice Per Month	24 - COMP24
50050	Flow in conduit or thru treatment plant	1 - Effluent Gross	0	-	Sample		=			0.042	=	03 - MGD	0	0101 - Daily	TM - TOTALZ
					Permit Req. Value NODI		=			Req Mon 30DA AVG	=	03 - MGD	0	0101 - Daily	TM - TOTALZ
50060	Chlorine, total residual	1 - Effluent Gross	0	-	Sample		=			19.0 INST MAX	=	28 - ug/L		05DW - 5 Days Every Week	GR - GRAB
					Permit Req. Value NODI		=			9 - Conditional Monitoring - Not Required This Period	=				
51040	E. coli	1 - Effluent Gross	0	-	Sample		=			1.0	=	32 - CFU/100mL	0	0230 - Twice Per Month	GR - GRAB
					Permit Req. Value NODI		=			126.0 30DAVGE0 <=	=	32 - CFU/100mL	0	0230 - Twice Per Month	GR - GRAB

Code	Parameter	Monitoring Location	Field	Type	Description	Acknowledge
74055	Coliform, fecal general	1 - Effluent Gross	0	-		
81010	BOD, 5-day, percent removal	1 - Effluent Gross	0	-		
81011	Solids, suspended percent removal	1 - Effluent Gross	0	-		

Submission Note

If a parameter row does not contain any values for the Sample nor Effluent Trading, then none of the following fields will be submitted for that row: Units, Number of Excursions, Frequency of Analysis, and Sample Type.

Edit Check Errors

Code	Parameter	Monitoring Location	Field	Type	Description	Acknowledge
00600	Nitrogen, total [as N]	1 - Effluent Gross	Quality or Concentration Sample Value 3	Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes
00665	Phosphorus, total [as P]	1 - Effluent Gross	Quality or Concentration Sample Value 3	Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	Quantity or Loading Sample Value 2	Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	Quality or Concentration Sample Value 2	Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	Quality or Concentration Sample Value 3	Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes

Comments

DMR late submission due to COVID at contract lab. Received results on 1-18-22 Exceedance letter is attached. Total Nitrogen and Ammonia on sample collected December 29, 2021 created due to outside treatment facility installed for emergency backup for testing of OVIVO equipment to finalize contract requirements. Treatment was compromised due to cold temperatures and loading of three treatment units.

Attachments

Exceedance Letter	1-18-22.pdf
Report Last Saved By	
TAOS SKY VALLEY VILLAGE OF	
User:	AMARTINEZ@VTSV.ORG
Name:	Anthony Martinez
E-Mail:	amartinez@vtsv.org
Date/Time:	2022-01-18 16:32 (Time Zone: -06:00)
Report Last Signed By	
User:	AMARTINEZ@VTSV.ORG
Name:	Anthony Martinez
E-Mail:	amartinez@vtsv.org
Date/Time:	2022-01-18 16:32 (Time Zone: -06:00)

Exceedance Letter	1-18-22.pdf
Report Last Saved By	
TAOS SKY VALLEY VILLAGE OF	
User:	AMARTINEZ@VTSV.ORG
Name:	Anthony Martinez
E-Mail:	amartinez@vtsv.org
Date/Time:	2022-01-18 16:32 (Time Zone: -06:00)
Report Last Signed By	
User:	AMARTINEZ@VTSV.ORG
Name:	Anthony Martinez
E-Mail:	amartinez@vtsv.org
Date/Time:	2022-01-18 16:32 (Time Zone: -06:00)

DMR Copy of Record

Permit Permit #: NM0022101 Major: Yes		Permittee: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. 38 OCEAN BLVD. TAOS SKI VALLEY, NM 87525		Facility: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. 38 OCEAN BLVD. TAOS SKI VALLEY, NM 87525	
Permitted Feature: 001 External Outfall		Discharge: 001-A TREATED MUNICIPAL WASTEWATER TO THE RIO HONDO		Status: NetDMR Validated	
Report Dates & Status Monitoring Period: From 01/01/22 to 01/31/22 Considerations for Form Completion		DMR Due Date: 02/15/22		Telephone: 575-776-8220	
Principal Executive Officer First Name: Anthony Last Name: Martinez No Data Indicator (NODI)		Title: Public Works Director		Telephone: 575-776-8220	

Code	Parameter Name	Monitoring Location	Season	Permit NODI	Qualifier	Value 1	Qualifier	Value 2	Units	Qualifier	Value 3	Qualifier	Value 4	Qualifier	Value 5	Qualifier	Value 6	Qualifier	Value 7	Qualifier	Value 8	Qualifier	Value 9	Qualifier	Value 10	Qualifier	Value 11	Qualifier	Value 12	Qualifier	Value 13	Qualifier	Value 14	Qualifier	Value 15	Qualifier	Value 16	Qualifier	Value 17	Qualifier	Value 18	Qualifier	Value 19	Qualifier	Value 20	Qualifier	Value 21	Qualifier	Value 22	Qualifier	Value 23	Qualifier	Value 24	Qualifier	Value 25	Qualifier	Value 26	Qualifier	Value 27	Qualifier	Value 28	Qualifier	Value 29	Qualifier	Value 30	Qualifier	Value 31	Qualifier	Value 32	Qualifier	Value 33	Qualifier	Value 34	Qualifier	Value 35	Qualifier	Value 36	Qualifier	Value 37	Qualifier	Value 38	Qualifier	Value 39	Qualifier	Value 40	Qualifier	Value 41	Qualifier	Value 42	Qualifier	Value 43	Qualifier	Value 44	Qualifier	Value 45	Qualifier	Value 46	Qualifier	Value 47	Qualifier	Value 48	Qualifier	Value 49	Qualifier	Value 50	Qualifier	Value 51	Qualifier	Value 52	Qualifier	Value 53	Qualifier	Value 54	Qualifier	Value 55	Qualifier	Value 56	Qualifier	Value 57	Qualifier	Value 58	Qualifier	Value 59	Qualifier	Value 60	Qualifier	Value 61	Qualifier	Value 62	Qualifier	Value 63	Qualifier	Value 64	Qualifier	Value 65	Qualifier	Value 66	Qualifier	Value 67	Qualifier	Value 68	Qualifier	Value 69	Qualifier	Value 70	Qualifier	Value 71	Qualifier	Value 72	Qualifier	Value 73	Qualifier	Value 74	Qualifier	Value 75	Qualifier	Value 76	Qualifier	Value 77	Qualifier	Value 78	Qualifier	Value 79	Qualifier	Value 80	Qualifier	Value 81	Qualifier	Value 82	Qualifier	Value 83	Qualifier	Value 84	Qualifier	Value 85	Qualifier	Value 86	Qualifier	Value 87	Qualifier	Value 88	Qualifier	Value 89	Qualifier	Value 90	Qualifier	Value 91	Qualifier	Value 92	Qualifier	Value 93	Qualifier	Value 94	Qualifier	Value 95	Qualifier	Value 96	Qualifier	Value 97	Qualifier	Value 98	Qualifier	Value 99	Qualifier	Value 100	Qualifier
00310	BOD, 5-day, 20 deg. C	1 - Effluent Gross	0	-	Sample	2.7	23.8 30DA AVG	4.72	26 - lbd	5.05	8.1	45.0 7 DA AVG	19 - mg/L	0	0230 - Twice Per Month	24 - COMP24																																																																																																																																																																																														
00400	pH	1 - Effluent Gross	0	-	Sample	7.08	6.6 MINIMUM	7.6	12 - SU	0	05DW - 5 Days Every Week	GR - GRAB																																																																																																																																																																																																		
00530	Solids, total suspended	1 - Effluent Gross	0	-	Sample	0.13	0.17	35.7 7 DA AVG	26 - lbd	0.29	0.3	45.0 7 DA AVG	19 - mg/L	0	0230 - Twice Per Month	24 - COMP24																																																																																																																																																																																														
X 00600	Nitrogen, total [as N]	1 - Effluent Gross	0	-	Sample	3.73	13.65 30DA AVG	10.9	26 - lbd	7.75	17.3	12.3 7 DA AVG	19 - mg/L	1	0107 - Weekly	24 - COMP24																																																																																																																																																																																														
X 00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	0	-	Sample	1.71	5.34 30DA AVG	6.41	26 - lbd	3.07	11.0	3.2 7 DA AVG	19 - mg/L	2	0230 - Twice Per Month	24 - COMP24																																																																																																																																																																																														
00665	Phosphorus, total [as P]	1 - Effluent Gross	0	-	Sample	0.04	0.8 30DA AVG	0.05	26 - lbd	0.09	0.13	0.75 7 DA AVG	19 - mg/L	0	0230 - Twice Per Month	24 - COMP24																																																																																																																																																																																														
50050	Flow in conduit or thru treatment plant	1 - Effluent Gross	0	-	Sample	0.05	0.05	0.05	03 - MGD	0.05	0.05	0.05	03 - MGD	0	0101 - Daily	TM - TOTAL																																																																																																																																																																																														
50060	Chlorine, total residual	1 - Effluent Gross	0	-	Sample	19.0 INST MAX	9 - Conditional Monitoring - Not Required This Period	19.0 INST MAX	28 - ug/L	0	05DW - 5 Days Every Week	GR - GRAB																																																																																																																																																																																																		
51040	E. coli	1 - Effluent Gross	0	-	Sample	32 - CFU/100mL	32 - CFU/100mL	32 - CFU/100mL	0230 - Twice Per Month	0	0230 - Twice Per Month	GR - GRAB																																																																																																																																																																																																		

Code	Parameter Name	Monitoring Location	Field	Type	Description	Acknowledge
74055	Coliform, fecal general	1 - Effluent Gross	0	-		
					Value NODI	
					Sample Permit Req. Value NODI	
					1.0	02/30 - Twice Per Month GR - GRAB
					200.0 30DAVGE0 <=	02/30 - Twice Per Month GR - GRAB
					400.0 DAILY MX	
81010	BOD, 5-day, percent removal	1 - Effluent Gross	0	-		
					Value NODI	
					Sample Permit Req. Value NODI	
					98.75	01/30 - Monthly CA - CALCTD
					85.0 MO AV MN	01/30 - Monthly CA - CALCTD
81011	Solids, suspended percent removal	1 - Effluent Gross	0	-		
					Value NODI	
					Sample Permit Req. Value NODI	
					99.93	01/30 - Monthly CA - CALCTD
					85.0 MO AV MN	01/30 - Monthly CA - CALCTD

Submission Note

If a parameter row does not contain any values for the Sample nor Effluent Trading, then none of the following fields will be submitted for that row: Units, Number of Excursions, Frequency of Analysis, and Sample Type.

Edit Check Errors

Code	Parameter Name	Monitoring Location	Field	Type	Description	Acknowledge
00600	Nitrogen, total [as N]	1 - Effluent Gross		Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross		Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross		Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes

Comments
Startup of the temporary treatment plant by IWS for testing requirements to close out the contract. Installed as a precaution as an emergency backup increase the OVIVO equipment had a catastrophic failure. Cold temperatures for the temporary treatment plant (although in a tent with heaters - still not warm enough for the Nitrogen cycle).

Attachments

Name	Type	Size
ExceedanceLetter_TotalNitrogen_Ammonia_2_9_22.pdf	pdf	94226.0

Report Last Saved By

TAOS SKI VALLEY, VILLAGE OF

User: AMARTINEZ@VTSV.ORG

Name: Anthony Martinez

E-Mail: amartinez@vtsv.org

Date/Time: 2022-02-09 12:58 (Time Zone: -06:00)

Report Last Signed By

User: AMARTINEZ@VTSV.ORG

Name: Anthony Martinez

E-Mail: amartinez@vtsv.org

Date/Time: 2022-02-09 12:58 (Time Zone: -06:00)

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: PUBLIC HEARING: Consideration to Approve Ordinance No. 2022-30 Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees

DATE: February 22, 2022

PRESENTED BY: Susan Baker, Village Attorney

John Avila, Village Administrator

Patrick Nicholson, Director of Planning and Community Development

STATUS OF AGENDA ITEM: Old Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The proposed Ordinance updates existing provisions in the Village's Zoning Ordinance No. 22-30 to better comply directly with the New Mexico Development Fees Act. The Ordinance defines how the Village may assess and collect development impact fees on new development. It also specifically addresses refunds and credits of development impact fees as set forth in the Act.

The Development Fees themselves are proposed to be adopted separately by Resolution, and the Ordinance authorizes this approach. The Development Fees Resolution No. 2022-502 is also placed on the Council agenda following consideration of the Ordinance. As set forth in the proposed Ordinance, development fees may be amended or updated by Resolution in the future and at Council's discretion.

STAFF RECOMMENDATION DIFS ORDINANCE:

Staff recommends discussion of the proposed Ordinance, public comment to comply with public hearing requirements, and adoption of the Ordinance at this second reading.

**VILLAGE OF TAOS SKI VALLEY
ORDINANCE NO. 2022-30**

**AN ORDINANCE OF THE VILLAGE OF TAOS SKI VALLEY,
AMENDING ORDINANCE NO. 22-30, AS AMENDED, SECTIONS 6.22 and
6.37,
TITLED “DEFINITIONS;” REPEALING SECTION 13.4, TITLED
“IMPACT FEES;” AND REPEALING AND REPLACING SECTION 23,
TITLED “DEVELOPMENT IMPACT FEES;” AND ESTABLISHING
PROCEDURES FOR THE ADOPTION AND IMPLEMENTATION OF
REVISED DEVELOPMENT IMPACT FEES, ALL IN ACCORDANCE
WITH THE NEW MEXICO DEVELOPMENT FEES ACT, NMSA
SECTION 5-8-1, *et. seq.***

WHEREAS, the imposition of development impact fees by municipal governments is authorized under, and governed by, the New Mexico Development Fees Act (“the Act”), NMSA Section 5-8-1, *et. seq.*, as amended, and ensures that new development pays its proportionate share of the capital costs related to the additional demand for public facilities; and

WHEREAS, the Village Council recognizes that new development causes and imposes increased demands on public facilities, so that development impact fees should be adopted, implemented, assessed, and collected for new development in relation to the following capital improvements of the Village of Taos Ski Valley (“Village”) and in compliance with the Act:

(a) Water supply, treatment and distribution facilities, and wastewater collection and treatment facilities, and storm water, drainage, and flood control facilities;

(b) Roadway facilities located within the service area, including roads, bridges, bike and pedestrian trails, bus bays, rights-of-way, traffic signals, landscaping, and any local components of state and federal highways;

(c) Buildings for fire, police and search and rescue, as well as essential equipment related thereto;

(d) Parks, recreational areas, open space, trails and related areas and facilities; and

(e) Any other facilities and capital projects authorized by the Act; and

WHEREAS, the Village Council appointed a Capital Improvements Advisory Committee (CIAC), pursuant to the Act, in order to review Land Use Assumptions (LUA), and a Capital Improvements Plan (CIP). The CIAC reviewed and made recommendations to the Village Council regarding the LUA and CIP, and the Council accepted the LUA on September 28, 2021, and the CIP on December 14, 2021. Both the LUA and CIP were also reviewed by the Village Planning and Zoning Commission, with recommendations to the Village Council; and

WHEREAS, the Village Council believes that establishing and assessing development impact fees is necessary to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable directly to new development, and in compliance with the Act and §5-8-4 and §5-8-5 therein; and

WHEREAS, through adoption of this Ordinance, the Village Council seeks to protect the public welfare through the implementation of fair and accurate development impact fees in full compliance with the Act and finds that there exists a rational relationship and proportionality between the capital costs of providing public facilities as set forth herein, and the development impact fees imposed on new development under this Ordinance to provide for such public facilities of the Village.

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

Section I. Definitions

Village Ordinance No. 2022-30, as amended, Section 6.22, titled “Definitions,” is hereby amended to add the following new or amended terms:

Capital improvement means land or facilities for purposes of construction or improving public facilities; for transportation and transit, including without limitation, streets, street lighting and traffic control devices and supporting improvements, roads, overpasses, bridges, and related facilities; storm drainage facilities; for water and wastewater facilities; for parks and recreation improvements; for acquisition of open space; for public safety, including police and jail facilities; for public buildings of all kinds; and for any other capital project identified in the Village’s Capital Improvement Plan (CIP). Capital improvement also includes the design, engineering, inspection and testing, planning, legal, land acquisition, and all other costs associated with construction of a public facility.

Capital improvements plan means a plan required by the New Mexico Development Fees Act and that identifies capital improvements or facility expansion for which impact fees may be assessed.

Development impact fee means a charge or assessment imposed by the Village on new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. The term includes amortized charges, lump sum charges, capital recovery fees, contributions in aid of

construction, development fees, and any other fee that functions as described by this definition. The term does not include utility connection or hook-up fees.

Facility expansion means the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development, including schools and related facilities.

Land use assumptions includes a description of the service area and projections of changes in land uses, densities, intensities, and population in the service area over at least a five-year period.

New development means the subdivision of land; reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land, any of which increases the number of service units.

Section II. Repeal

Village Ordinance No. 2012-30, as amended, Section 13.4, titled "Impact Fees," is hereby revoked and repealed in its entirety.

Section III. Repeal and Replacement

Village Ordinance No. 2017-30, as amended, Section 23, titled "Development Impact Fees," is repealed in its entirety and replaced with the following Section 23:

1. Intent and Purpose.

A. This Section is adopted for the purpose of promoting the health, safety, and welfare of the residents of the Village of Taos Ski Valley by:

(a) Implementing the Village of Taos Ski Valley Land Use Assumptions (LUA) and Capital Improvements Plan (CIP).

(b) Implementing the Village's plans for public facilities by requiring new development to pay its fair and proportionate share of the costs of necessary capital improvements and public facilities through the imposition of Development Impact Fees (DIFs) that will be used to finance, defray, or reimburse all or a portion of the costs incurred by the Village for public facilities and capital improvements that serve and are attributable to new development.

(c) Setting forth standards and procedures for assessing, refunding, crediting, reducing and/or amending DIFs, adopting and implementing DIFs, and administering the Village's DIF program in compliance with the New Mexico Development Fees Act, NMSA Section 5-8-1, *et. seq.*, as amended (the Act).

2. Applicability

A. This Section shall apply to all new development, as defined in the New Mexico Development Fees Act (the Act), and to all fees and charges imposed by the Village to finance different types of capital improvements and public facilities, as set forth herein, the need for which is created by new development. These fees are in addition to, and separate from, the necessary water and sewer connection or hook-up fees, and any other administrative fees to be assigned for planning review or upon the issuance of a building permit.

B. These fees do not apply to, nor can such fees be assessed by the Village for the maintenance, improvement, or repair of existing facilities that cannot be directly attributable to the impacts of new development, or for other prohibited activities set forth in §5-8-5 of the Act.

3. DIFs Established and Assessed

A. Development Impact Fees (DIFs), including water and sewer system development fees, are hereby adopted and incorporated into this Ordinance, as adopted by the Village Council in a separate Resolution.

B. DIFs may be amended from time to time by Resolution, adopted by a majority of the Village Council, in compliance with this Ordinance and the Act.

C. The Village's LUA and CIP may also be amended by Resolution of the Village Council, as otherwise set forth in the Act.

D. The development projects occurring in areas not served by the Village's water or wastewater systems are exempt from the water and wastewater system development fees, including in the Amizette area of the Village.

4. Items Payable by DIFs

A. DIFs assessed to new development shall not exceed the cost to pay for the new development's proportionate share of the cost of capital improvements or facility expansions, based upon service units, needed to serve that new development.

B. Projected debt service charges may be included in determining the amount of DIFs where they are used for the payment of principal and interest on

bonds, notes or other obligations issued to finance construction of capital improvements or facility expansions identified in the CIP.

C. Development Impact Fees shall be used to pay for the costs associated with designing and constructing capital improvements and facility expansions and may also be imposed to pay the following:

(a) The cost of formulating a Capital Improvements Plan (CIP), including fees actually paid or contracted to be paid by the Village to an independent qualified professional, who is not a Village employee, for the preparation or updating of a CIP.

(b) Planning, surveying, and engineering fees paid to an independent qualified professional who is not a Village employee for services provided for, and directly related to, the construction of capital improvements or facility expansions.

(c) Up to three percent of total DIFs may be used for the administrative costs of Village employees who are qualified professionals, as these services are related to capital improvements or facility expansions.

5. Items Not Payable by DIFs

A. Development Impact Fees shall not be imposed or used to pay for:

(a) Construction, acquisition or expansion of public facilities or assets that are not capital improvements or facility expansions identified in the CIP.

(b) Repair, operation, or maintenance of existing or new capital improvements or facility expansions.

(c) Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards.

(d) Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development.

(e) General administrative and operating costs of the public facilities, except as specifically provided herein.

(f) Principal payments or debt service charges on bonds or other indebtedness.,

(g) Other prohibited activities and related costs under §5-8-5 of the Act.

6. Manner for Assessment and Collection of DIFs and Timing

A. Assessment of a DIF shall be made at the earliest possible time.

B. Collection of a DIF shall be made at the latest possible time.

C. For land that has been platted in accordance with the Village's subdivision or platting procedures before the effective date of this Ordinance, or for land on which new development occurs or is proposed without platting, the Village may assess the DIFs at the time of development approval or issuance of a building permit, whichever date is earlier. The assessment shall be valid for a period of not less than four (4) years from the date of development approval or issuance of a building permit, whichever date is earlier.

D. For land that is platted after the effective date of this Ordinance, the Village shall assess the DIFs at the time of recording of the subdivision plat, and this assessment shall be valid for a period of not less than four (4) years from the date of recording of the plat.

E. Collection of DIFs shall occur no earlier than the date of issuance of a building permit.

F. For new development that is platted in accordance with the Village's subdivision or platting procedures before the adoption of an applicable DIF, a DIF shall not be collected on any service unit for which a valid building permit has already been issued.

G. After the expiration of the four-year period described in subsections C and D above, the Village may adjust the assessed DIFs to the level of current DIFs as provided by this Ordinance, or amendments thereto.

H. The Village may enter into an agreement with the owner of a tract of land for a method of payment of the DIFs over an extended period of time, otherwise in compliance with this Ordinance and the Act.

I. After assessment of the DIFs attributable to the new development or execution of an agreement for payment of DIFs, additional DIFs, or increases in DIFS, may not be assessed for any reason, unless the number of service units to be developed increases. If an increase in the number of service units occurs, the DIFS which may be imposed are limited to the amount attributable to the additional service units.

7. Restrictions on Collections of DIFs

A. DIFs may be spent only for the purposes for which the fee was imposed as shown by the CIP, and as authorized and not otherwise prohibited by this Ordinance and the Act.

B. DIFs shall be collected and paid for capital improvements or facility expansions only where construction is commenced within seven (7) years, and service available to new development within a reasonable period of time after completion of construction, considering the type of capital improvement or facility expansion to be constructed, but in no event longer than seven (7) years. This period of time may be extended, provided the Village obtains a performance bond or similar surety securing performance of the obligation to construct the capital improvements or facility expansions.

C. In lieu of paying DIFs directly to the Village, a developer party of new development may itself construct or finance the capital improvements or facility expansions, subject to approval by the Village, and in accordance with any applicable master development agreements with the developer party.

D. The Village shall maintain DIFs in separate interest-bearing accounts clearly identifying the payor and the category of capital improvements or facility expansions within the service area for which the fee was adopted. Interest earned on DIFs shall become part of the account on which it is earned and shall be subject to all restrictions placed on the use of fees under this Ordinance and the New Mexico Development Fees Act, as amended (the Act).

E. As part of its annual audit process, the Village shall prepare a report describing the amount of DIFs collected, encumbered, and used during the preceding year by category of capital improvement, facility expansion, and service area.

8. Refund, Credit, and Reduction of DIFs

A. New development may apply for a refund, credit, or reduction of DIFs in compliance with this Ordinance and the New Mexico Development Fees Act, as amended.

B. Any developer party seeking the refund, credit, or reduction of a DIF shall submit a formal application or request to the Village, explaining the rationale for the refund, credit, or reduction, which application or request may be based on §5A of the Ordinance and §5-8-4 and §5-8-5 of the Act. All refunds, credits, and reductions of DIFs shall be given in compliance with the New Mexico Development Fees Act, as amended.

C. Any refund, credit, or reduction of a DIF granted shall only be issued upon full CIP funding for all projects listed within each DIF category.

D. The Village Council shall have the final authority to determine the amount of any refund, credit, or reduction of DIFs. In considering the request, the Village Council may factor in other sources of benefits, credits, or public monies that are related to the new development or that are being contributed by the developer.

E. Appropriate reasons for refund, credit, or reductions of DIFs may include the following:

(a) If existing facilities are available and service is not provided or the Village has, after collecting the DIF, failed to complete construction, or provide service, within the time limits set forth in this Ordinance and in accordance with the Act.

(b) If after completion of the capital improvements project or new facility, the DIF collected and paid is more than the actual cost of the project. But only where the difference exceeds the fee paid by more than ten (10) percent.

(c) Where DIFS are not spent as authorized by this Ordinance and the CIP within seven (7) years after the date of payment.

(d) Any refunds shall bear interest calculated from the date of collection to the date of refund and shall be made to the record owner of the property at the time the refund is paid.

F. Any construction of, contributions to, or dedication of on-site or off-site facilities, improvements, or real or personal property shall be credited against DIFs otherwise due from new development. The credit shall include, but not be limited to, the value of dedication of the following:

(a) Land for parks and recreational areas, open space, trails and related areas and facilities or payments in lieu of that dedication; and

(b) Rights-of-way or easements or construction or dedication of on-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks or curbs.

G. Water and wastewater system development fees may not generally be waived by the Village Council due to bond obligations but may be paid from other non-utility funding sources, other than any cost-of-service or rate-based funding.

H. In its discretion, the Village Council may do any of the following in relation to the waiver, refund, or credit of DIFs as it affects new development:

(a) Establish the payment of DIFs from other sources, primarily for the payment of water and wastewater system development fees, or other future DIFs from other non-utility sources, including for qualifying economic development projects in accordance with any Village economic development plan or ordinance.

(b) Spend funds from any lawful source or pay for all or a part of the capital improvements or facility expansions out of Village funds, in order to reduce the amount of the DIFs to be assessed to new development.

(c) Agree to offset or reduce part or all of the DIFs assessed on new development, provided that the public policy which supports the reduction is contained in the Village's appropriate planning documents, ordinances, resolutions or other contractual agreements to which the Village is lawfully bound, and provided that the development's new proportionate share of the system improvement is funded with revenues other than the DIFs from other new developments.

(d) In exercising the discretion set forth herein, the Village Council shall apply principles of equity, fairness, and proportionality, in accordance with law, in relation to, and among developers and new developments.

9. Public Notice and Hearing Required for Amending DIFS

A. Any amendment of DIFs shall be in compliance with the New Mexico Development Fees Act, as amended, and shall require notice to the public and formal approval of a resolution enacted by a majority of the Village Council following a public hearing.

B. Information concerning the LUA, CIP, and DIFs shall be made available to the public prior to any public hearings regarding amendment.

C. The Capital Improvements Advisory Committee (CIAC), as established by the Village Council, shall meet and review any proposed amendments to the LUA, CIP, and DIFs and shall submit written findings and conclusions at least five (5) days prior to a public hearing of the Village Council.

10. Mandatory Update of DIFs

A. The Village shall update the Land Use Assumptions (LUA) and Capital Improvements Plan (CIP) at least every five (5) years. The initial five-year period begins on the day the CIP is formally adopted by the Village Council.

B. The Village shall review and evaluate its current LUA and shall update the CIP in accordance with this Ordinance and the Act, including recommendations by the CIAC.

C. If the Village Council determines that no changes to the LUA, CIP, or DIFs is needed, it may, as an alternative to the updating requirements, publish notice of its determination.

D. The resolution or ordinance determining the need for updating the LUA, CIP, or DIFs shall not be adopted as an emergency measure, and if adopted, must comply with the procedural requirements of the Act.

SECTION IV. REPEAL AND CONFLICT OF CODES

The adoption of this Ordinance supersedes and replaces any previously adopted resolutions, ordinances, policies, and any inconsistent provisions therein.

SECTION V. PUBLICATION AND EFFECTIVE DATE

This Ordinance shall be in full force and effect after its adoption, approval, and publication as provided by law and in compliance with the New Mexico Development Fees Act.

ADOPTED UPON SECOND READING ON THIS ____ DAY OF _____, 2022.

Christof Brownell, Mayor

Attest: Ann Marie Wooldridge, Village Clerk

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Resolution No. 2022-502 Adopting Revised Development Impact Fees Pursuant to NMSA, Sections 5-8-1, et. seq. the NM Development Impact Fees Act, and Village Ordinance No. 22-30, as amended, Section 23

DATE: February 22, 2022

PRESENTED BY: Susan Baker, Village Attorney

John Avila, Village Administrator

Patrick Nicholson, Director of Planning and Community Development

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Development Fees themselves are proposed to be adopted separately by Resolution 2022-502, and the Ordinance No.22-30 authorizes this approach. The Development Fees Resolution 2022-502 includes reduction in Fees Structure as recommended at the First Reading.

Resolution 2022-502, as set forth in the proposed Ordinance, may have development fees amended or updated at Council's discretion, by Resolution in the future.

STAFF RECOMMENDATION DIFS ORDINANCE:

Staff recommends discussion of the proposed Resolution 2022-502, and adoption of the Resolution after adoption of Amended Ordinance No.22-30.

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2022-502**

**A RESOLUTION OF THE VILLAGE OF TAOS SKI VALLEY
ADOPTING REVISED DEVELOPMENT IMPACT FEES PURSUANT
TO NMSA, SECTION 5-8-1, *et. seq.*, THE NEW MEXICO DEVELOPMENT
FEES ACT, AND VILLAGE ORDINANCE NO. 22-30, AS AMENDED,
SECTION 23**

WHEREAS, the Village Council appointed a Capital Improvements Advisory Committee (CIAC), pursuant to the Act, in order to review Land Use Assumptions (LUA), and a Capital Improvements Plan (CIP). The CIAC reviewed and made recommendations to the Village Council regarding the LUA and CIP, and the Council accepted the LUA on September 28, 2021, and the CIP on December 14, 2021. Both the LUA and CIP were also reviewed by the Village Planning and Zoning Commission, with recommendations to the Village Council; and

WHEREAS, the imposition of development impact fees by municipal governments is authorized under, and governed by, the New Mexico Development Fees Act ("the Act"), NMSA Section 5-8-1, *et. seq.*, as amended, and Village Zoning Ordinance No. 22-30, Section 23, as amended; and

WHEREAS, the Village Council adopts the following Development Impact Fees by Resolution in order to update existing fees, understanding that establishing and assessing revised development impact fees is necessary to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable directly to new development.

**WHEREFORE BE IT RESOLVED BY THE COUNCIL OF THE
VILLAGE OF TAOS SKI VALLEY AS FOLLOWS:**

Section I.

The Development Impact Fees, attached hereto as Exhibit A, are hereby adopted in compliance with the Village's LUA, CIP, Ordinance 22-30, as amended, and the New Mexico Development Fees Act.

ADOPTED UPON ON THIS ____ DAY OF _____, 2022.

Christof Brownell, Mayor

Attest: Ann Marie Wooldridge, Village Clerk

Exhibit Appendix A: Development Impact Fees - per Square Foot (Redlined version)

Land Use	Public Safety Facilities	Transportation Facilities	Parks and Public Spaces	Wastewater System Development	Water System Development	Total - per Square Foot
<i><u>Residential</u></i>						
Single Family	\$ 1.65	\$ 2.09	\$ 1.46	\$ 2.79	\$ 1.51	\$ 9.50
Multifamily	\$ 3.38	\$ 3.02	\$ 3.00	\$ 5.67	\$ 3.07	\$ 18.14
<i><u>Nonresidential</u></i>						
Commercial	\$ <u>4.12</u> 5.15	\$ <u>5.95</u> 7.44	\$ -	\$ <u>7.87</u> 9.84	\$ <u>4.26</u> 5.32	\$ <u>22.20</u> 27.75
<i><u>Accommodations</u></i>						
Hotel	\$ <u>4.64</u> 5.80	\$ <u>4.17</u> 5.21	\$ <u>4.12</u> 5.15	\$ <u>7.90</u> 9.88	\$ <u>4.27</u> 5.34	\$ <u>25.10</u> 31.38

Exhibit A: Development Impact Fees - per Square Foot

Land Use	Public Safety Facilities	Transportation Facilities	Parks and Public Spaces	Wastewater System Development	Water System Development	Total - per Square Foot
<u>Residential</u>						
Single Family	\$ 1.65	\$ 2.09	\$ 1.46	\$ 2.79	\$ 1.51	\$ 9.50
Multifamily	\$ 3.38	\$ 3.02	\$ 3.00	\$ 5.67	\$ 3.07	\$ 18.14
<u>Nonresidential</u>						
Commercial	\$ 4.12	\$ 5.95	\$ -	\$ 7.87	\$ 4.26	\$ 22.20
<u>Accommodations</u>						
Hotel	\$ 4.64	\$ 4.17	\$ 4.12	\$ 7.90	\$ 4.27	\$ 25.10

VILLAGE OF TAOS SKI VALLEY

Village Council

Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Resolution No. 2022-503 a Resolution Authorizing the Village Administration to Create Parking, Traffic, Weather, and Road Condition Control Restrictions and Public Safety Enforcement for Village Roads and Public Facilities

DATE: February 22, 2022

PRESENTED BY: Village Administrator John Avila, Police Chief Virgil Vigil

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Village of Taos Ski Valley has historically created and posted signage for speed limits, traffic, and parking control administratively, under authority of New Mexico Statute and Village Ordinance. Additional temporary or seasonal rules and signage have been used for events, road, or weather conditions. The authority to enforce restrictions and controls is already in place, however, action to formalize the process and authority by Council will help to support enforcement action against possible challenges. The action also helps define a public process and anticipates more participation for both the short and long term.

RECOMMENDATION: Motion to Approve Resolution No. 2022-503 for the Village of Taos Ski Valley Administration and Departments of Public Safety continued authority to initiate traffic control rules and signage including but not limited to speed, vehicle and parking control, as well enforce violations of the same within the Village limits. Also, other than required by emergency, the Village will give at least a 72-hour public notice before implementation.

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2022-503**

A RESOLUTION AUTHORIZING VILLAGE ADMINISTRATION TO CREATE PARKING, TRAFFIC, WEATHER, AND ROAD CONDITION CONTROL RESTRICTIONS AND PUBLIC SAFETY ENFORCEMENT FOR VILLAGE ROADS AND PUBLIC FACILITIES

WHEREAS, the Village of Taos Ski Valley Administration and Departments of Public Safety under Village Ordinance and NM Statute 66-7-3 have the authority to enforce violations of traffic control signage including but not limited to parking control; and

WHEREAS, weather, road conditions, pedestrian safety, and vehicle requirements may require safety/traffic control signage and devices; and

WHEREAS, the Village of Taos Ski Valley intends to have public notice before temporary or long-term traffic controls or restrictions are implemented; and

WHEREAS, the Village of Taos Ski Valley Ordinance No.10-35 further provides a process for review and requirements including but not limited to traffic and parking control for events; and

WHEREAS, the Village may create and operate a parking permit process for events or to manage public parking; and

WHEREAS, the Village intends to create signage of the traffic and parking restrictions for public areas and public roads of the Village of Taos Ski Valley.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Village of Taos Ski Valley Administration and Village of Taos Ski Valley Police Department have the authority to initiate traffic control rules and signage including but not limited to speed, vehicle and parking control, as to enforce violations of the same within the Village limits and other than required by emergency, will give at least a 72-hour public notice before implementation.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2022.

THE VILLAGE OF TAOS SKI VALLEY

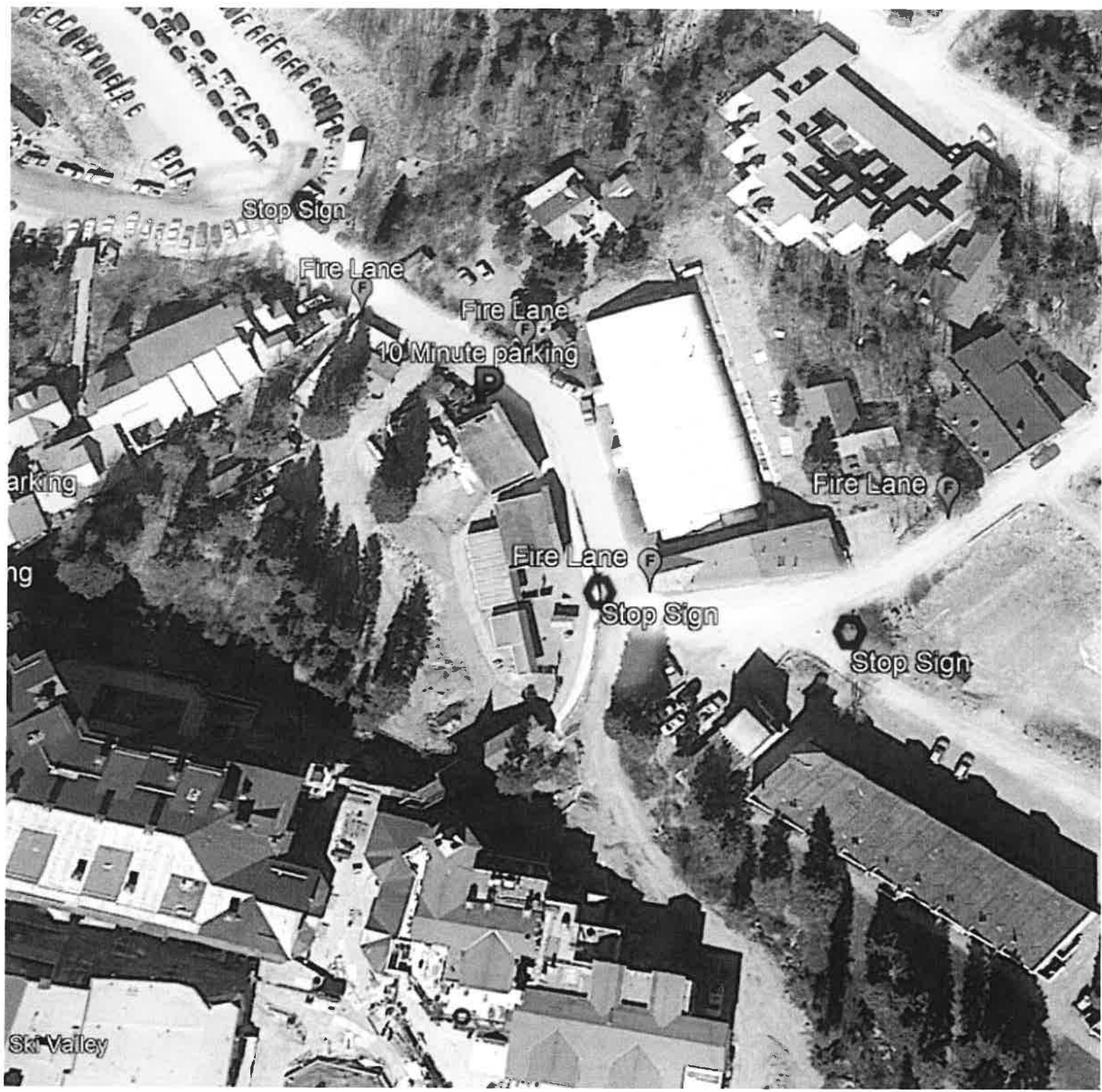
By: _____
Christof Brownell, Mayor

(Seal)

ATTEST:

Ann M. Wooldridge, Village Clerk

VOTE: For _____ Against _____



Stop Sign

Fire Lane

Fire Lane

10 Minute parking

Fire Lane

Fire Lane

Stop Sign

Stop Sign

arking

ng

Ski Valley



Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2022-504**, Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022, NM LGRF DOT

DATE: February 22, 2022

PRESENTED BY: Anthony Martinez, Public Works Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village Council needs to approve a resolution for State Highway and Transportation Department application for funding. The LGRF funding would be used for drainage and surface improvements to the Village roadways. The Village requests that NMDOT contribute \$75,000 with the Village to match or exceed \$25,000 for a total contract price of \$100,000 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. We also plan to continue to apply base course and dust control materials throughout the Village to build up the roads due to material loss from erosion.

RECOMMENDATION: Approval of **Resolution No. 2022-504**, authorizing the application for financial assistance from the New Mexico State Highway and Transportation Department

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2022-504**

WHEREAS, The Village of Taos Ski Valley has been invited to participate in the FY 2022/2023 Local Government Road Program

WHEREAS, The Grant funding requires a 25% match funding that the Village intends to meet with in kind costs

WHEREAS, the Village of Taos Ski Valley has identified public road projects that are needed to protect the public good and convenience and will serve the public of the municipality and the list is as follows:

Village of Taos Ski Valley COOP Project Roadway List FY 2022/2023

	Road Project	Scope of Work	Cost
		Change slope of the road, Current road has an out-slope layout but needs to change to an in-slope profile with a ditch directing storm water to a drop inlet, Drop inlet would drain to a sediment catch basins accessible for backhoe maintenance	
1	Zaps Road: regrade, with drainage		\$100,0
2	Cliffhanger Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
3	Upper Twining Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
4	Bull of Woods Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
5	Snow Shoe Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
6	Big Horn Roadside curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
7	Twining Road curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
8	Phoenix Switchback curb & gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
9	Cliffhanger Road curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
0	Dolcetto Lane curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
1	Coyote Lane curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
2	Porcupine Road resurface	Resurface to Village standards: base course roadway and re-slope	\$30,0
3	Village Wide Boulder removal	Removal of Boulders that protrude in the road way and resurface	\$300,0
4	Village Wide Road Resurface	Resurface to Village standards base course roadway and re-slope	\$300,0
5	Village Wide Road Surface Treatment	Road Surface Improvements – Slurry seal and soil stabilization	\$25,0
6	Bluejay Ridge	Resurface to Village standards: base course roadway, re-slope, blading and shaping	\$100,0
7	Amizette Roads (Emma Road, Gusdorf Road, Gerson Road)	Resurface to Village standards: base course roadway, re-slope, blading and shaping	\$100,0
8	Kachina Road	Resurface to Village standards: base course roadway and re-slope	\$30,0

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

1. Council Directs the Mayor to submit a letter of intent to Paul Brasher, District 5 Acting/Engineer before March 15, 2022, requesting to be included in the FY2022/2023 Local Government Road Program

ADOPTED THIS 22nd DAY OF February 2022.

Mayor Christof Brownell

ATTEST:

Ann Marie Wooldridge
Village Clerk



POST OFFICE BOX 100
Taos Ski Valley
New Mexico 87525

(575) 776-8220
(575) 776-1145 Fax

E-mail: vtsv@vtsv.org
Web Site: vtsv.org

MAYOR:
Christof Brownell

COUNCIL:
Christof Brownell
J. Christopher Stagg
Thomas P. Wittman
Jeffrey Kern

**VILLAGE
ADMINISTRATOR:**
John Avila

FINANCE DIRECTOR:
Nancy Grabowski

CLERK:
Ann M. Wooldridge

February 22, 2022

Mr. Paul Brasher, District 5 Engineer
c/o Stephanie Medina
New Mexico Department of Transportation
P.O. Box 4127 – Coronado Station
Santa Fe, NM 87502-4127

RE: Project Proposal / Letter of Intent

Dear Mr. Brasher,

The Village of Taos Ski Valley is pleased to submit our proposal for the New Mexico Department of Transportation (NMDOT) FY 2022/2023 Local Government Road Fund (LGRF). The project Scope of Work consists of drainage and surface improvements to Village roadways.

LOCATION

The projects are located entirely within the Village of Taos Ski Valley incorporated municipality. All work will be in the public right-of-way and the project supports continued improvements to access roads within the Village.

SCOPE OF WORK

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

Bid items are referenced in the attached Bid Schedule (Exhibit B) for improvements as proposed for fiscal year 2022/2023 and are consistent with previous LGRF projects. The Village requests that NMDOT contribute \$75,002.55 with the Village to match or exceed \$25,000.85 for a total contract price of \$100,003.40 which is consistent with recent funding applications with NMDOT.

PROJECT JUSTIFICATION

Surrounded by the Hondo-Columbine and Wheeler Peak Wilderness Areas to the north and south, the municipality is located within the Upper Rio Hondo watershed consisting of high elevation alpine mountains, numerous streams and steep slopes. Environmental conditions within the Village are highly sensitive to the ongoing

impacts of roadway development from erosion due to the steep slopes, intense rainstorms, snowmelt, narrow switchbacks, gravel surfaces and heavy tourism traffic. Proposed grading and graveling will also reduce surface damage to the project thoroughfare, and drainage improvements will aid in extending the life of those repairs. Dust during the dry season is prolific, and annual mitigation measures throughout the Village help to maintain cleaner, healthier air. In addition, the proposed improvements will prevent further erosion that can impact the watershed below.

The Village hereby certifies that the proposed work is on a public highway and is necessary for the public good, safety and welfare of the municipality.

John Avila
Village Administrator

Date

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2022-505**, Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2023, NM Municipal Arterial Program (MAP)

DATE: February 22, 2022

PRESENTED BY: Anthony Martinez, Public Works Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village Council needs to approve a resolution for State Highway and Transportation Department application for funding. The MAP funding would be used for the construction of Twining Road that is being engineered under the New Mexico Department of Transportation Local Government Transportation Project Fund Grant, Contract No. D18422. At this point, the estimated construction of Twining Road is \$5,000,000 of which \$1,127,207.50, is estimated for drainage, with the Village match of 25%, which would be \$281,801.88. This would be a phased project due to the limited building season.

Monies for the project will be used for the construction of Twining Road per engineering specifications.

RECOMMENDATION: Consideration to Approve **Resolution No. 2022-505**, authorizing application for financial assistance from the New Mexico State Highway and Transportation Department.

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2022-505**

WHEREAS, The Village of Taos Ski Valley has been invited to participate in the FY 2023 New Mexico Department of Transportation Municipal Arterial Program (MAP)

WHEREAS The Grant funding requires a 25% match funding that the Village intends to meet with in kind costs; and

WHEREAS, the Village of Taos Ski Valley has identified Twining Road Improvement Project (phase two – construction) as a necessary and essential project to improve the health, safety, and welfare of the community; and

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

1. Village of Taos Ski Valley Governing Body directs Staff to submit an application and commits Village funds for the required 25% match for the NM Department of Transportation Municipal Arterial Program (MAP) projects during FY 2023.

PASSED, APPROVED AND ADOPTED THIS 22nd DAY OF February 2022.

THE VILLAGE OF TAOS SKI VALLEY

Mayor Christof Brownell

ATTEST:

Ann Marie Wooldridge
Village Clerk

New Mexico Department of Transportation
Municipal Arterial Program (MAP) Application
Fiscal Year 2022-2023

Twining Road Construction

Submitted by:
Village of Taos Ski Valley
Public Works Department
7 Firehouse Road
Taos Ski Valley, NM 87529

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Village of Taos Ski Valley
PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525
(575) 776-8220 (575) 776-1145 Fax
E-mail: vtsv@vtsv.org Website: www.vtsv.org

Mayor: Christof Brownell
Council: Jeff Kern, Neal King,
J. Christopher Stagg, Thomas Wittman

February 22, 2022

Clarissa Martinez
LGRF Coordinator
New Mexico Department of Transportation
P.O. Box 1149
Santa Fe, NM 87504-1149

RE: FY 2023-2024 Application for Municipal Arterial Project (MAP) funding
Village of Taos Ski Valley – Twining Road Construction

Dear Ms. Martinez,

The Village of Taos Ski Valley respectfully submits this application for Municipal Arterial Project (MAP) funding for the construction of Twining Road phased project. The Twining Road fulfills the general criteria as an arterial that provides access to the Village arterial roads from NM 150.

The engineering and design for this project being finalized fiscal year 2022-2023.

The request package includes the following nine (9) items listed in your correspondence.

1. **Map of project limits** – Page 6 Illustrates a vicinity map of the project limits. Phasing is identified.
2. **Current and 20-year projected traffic volumes** – ADT 425 VPD and 20-year projected is 1250
3. **Pavement design criteria (10 year minimum)** – A geotechnical investigation with pavement parameters will be performed during design development.
4. **Typical section** – A typical cross section of two 11-foot driving lanes, one 4-foot bike lane, and curb, gutter, and sidewalks on the west side of the roadway. The typical cross sections utilizing the guidelines contained in the latest edition of the NMDOT Standard specification for Highway and Bridge Construction.
5. **Major intersection and traffic signal analysis (including warrants)** – Traffic volumes are low and will not warrant a traffic signal. All side streets are stop controlled.
6. **Drainage Reports** – A drainage report has been prepared in accordance with the requirements as identified in the most recent NMDOT Drainage Manual.
7. **Preliminary Cost Estimates** – An estimate of probable cost is included with this application. The total cost is estimated at \$5,232,977.40. The Village of Taos Ski Valley will provide 25% of Phased Project #1 which will cover drainage, thereby establishing the funding request for the MAP at **\$1,127,207.50** which could be accomplished as a sub-phased project. With Village of Taos Ski Valley portion of \$281,801.88.
8. **Village of Taos Ski Valley Council Resolution of Support for the Project** – A signed copy of Resolution 2022-505 dated February 22, 2022 is included in this application.

9. **Project Data Sheet** – As part of this submittal, a project data sheet is included to summarize the existing and proposed project information.

Thank you in advance for your time and consideration. Please feel free to contact me at 575-776-8220 should you have any questions or require additional information.

Anthony J. Martinez
Public Works Director

Date

John Avila
Village Administrator

Date

Project Summary

Twining Road Construction

Project Data:

Control Number:	Not yet assigned
Project Number:	Not yet assigned
Project Name:	Twining Road construction Phase 1
Location:	Village of Taos Ski Valley
County:	Taos County
Length:	1.0 miles
Letting date:	Not yet assigned

Scope of Work:	Roadway reconstruction Curb, gutter, and sidewalk Drainage improvements Permanent signing
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Estimated Construction Cost: \$5,232,977.40

Phase 1

Drainage:	\$1,127,207.50
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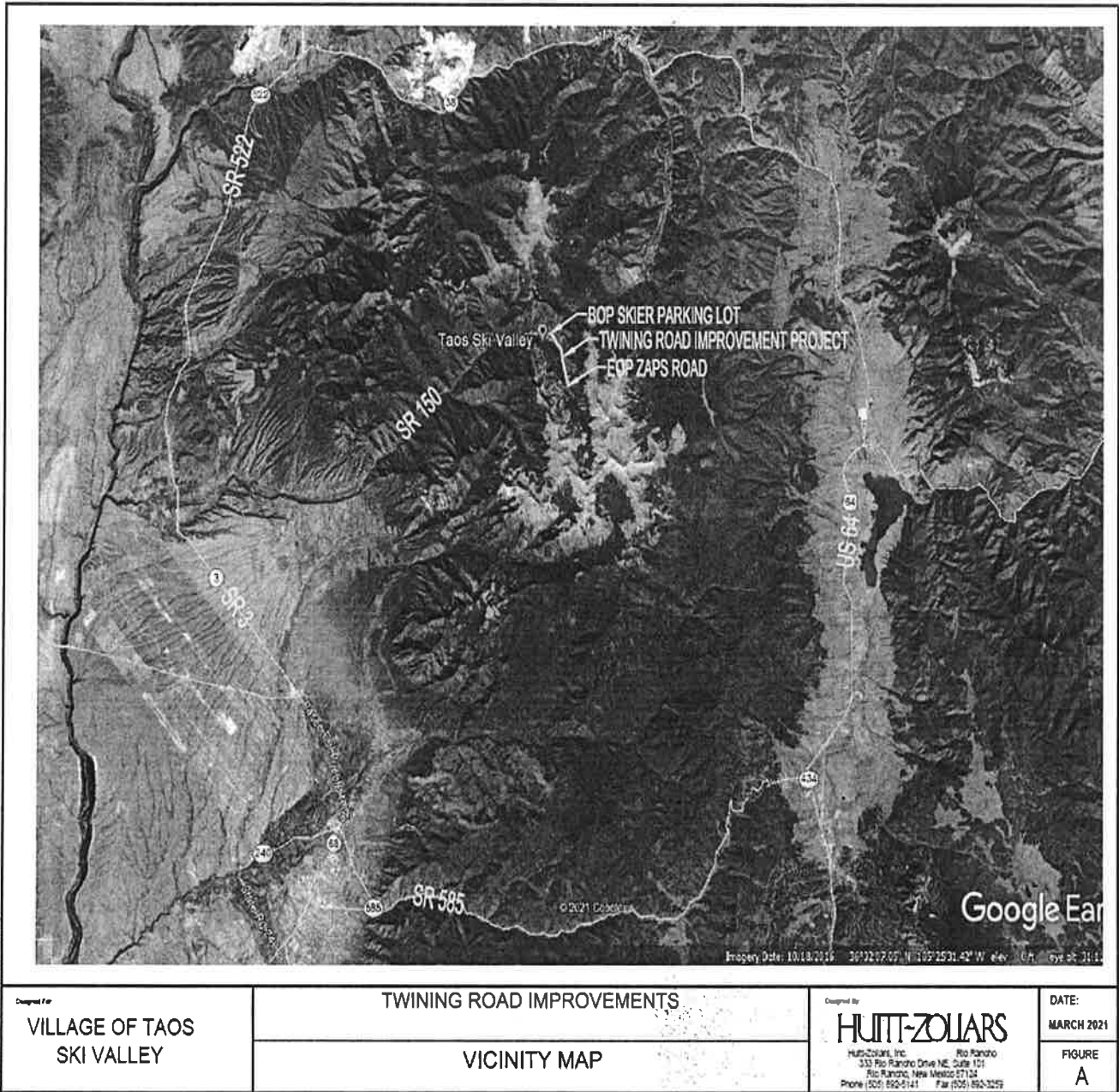
Engineering Cost:	Preliminary Complete
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Right of Way Survey:	Preliminary Complete
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Background:	Twining Road provides traffic through the core of the Village up to the Kachina Village. Twining Road is currently experiencing an increase in traffic volumes due to the growth of the Village.
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All improvements will meet the NMDOT Standard Specifications for Highway and Bridge Construction.

Vicinity Map



Traffic Volumes

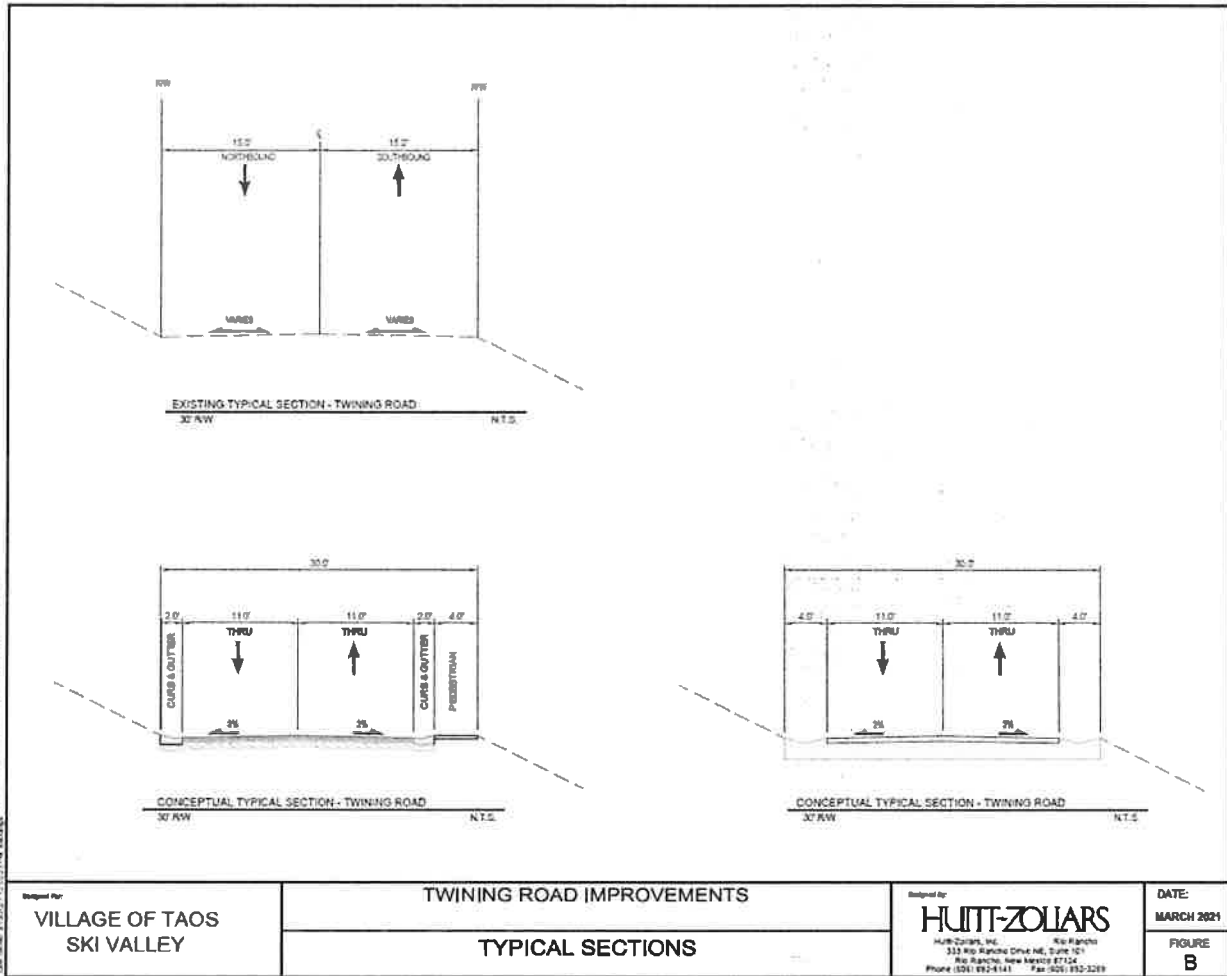
ADT 425 VPD and 20-year projected is 1250

Design Criteria

Village of Taos Ski Valley
Twining Road
Huitt-Zollars, Inc
Design Criteria

Design Criteria	Taos County Planning Department (Sept. 4, 2018) "Land Use Regulations"	NMDOT (July 2018) "Drainage Design Manual" Design Flood Criteria	AASHTO (2018) "A Policy on Geometric Design of Highways and Streets"	Twining Road Improvements Project
Roadway Geometrics				
Roadway Classification			Rural Collector	Rural Collector
Design Speed			20 mph	20 mph
Posted Speed			10 - 15 mph	10 - 15 mph
Lane Width			10' - 12'	10'
Shoulder Width (without curb and gutter)			2' - 5'	2' - 5'
Shoulder Width (with curb and gutter)			none	none
Cross Slope			1.5% - 2%	2%
Max. Superelevation Rate			8%	8%
Min. Horizontal Curve Radius			76'	76'
Curb Return Radii			25' - 30'	25' - 30'
Min. Horizontal Stopping Sight Distance			115'	115'
Max. Vertical Grade			12%	13.5%
Min. Vertical Grade			0.3% Minimum/0.5% Desirable	0.5%
Crest Vertical Curve Min. K Value			7	7
Sag Vertical Curve Min. K Value			17	17
Crest Vertical Curve Min. Stopping Sight Distance			115'	115'
Sag Vertical Curve Min. Stopping Sight Distance			115'	115'
Structure Design				
Retaining Wall	NMDOT/AASHTO	NMDOT/AASHTO	NMDOT/AASHTO	NMDOT/AASHTO
Drainage				
Major Storm Event	100-year			100-year
Min. Culvert Size for Storm Event	50-year			50-year
Post Burn Analysis	USACE	USACE	USACE	USACE
Excavated or Fill Slopes	3:1 or flatter			3:1 or flatter
Existing Culverts		Limit HW spread to driving lane		Limit HW spread to driving lane
New Culverts		Limit HW to edge of shoulder		Limit HW to edge of shoulder
Roadside Ditches and Inlets		Limit water spread to edge of shoulder		Limit water spread to edge of shoulder

Typical Section



Intersection and Traffic Signal Analysis

Traffic volumes are low and will not warrant a traffic signal. All side streets are stop controlled.

Drainage Overview

Please see attached:
Preliminary Drainage Study
Twining Road Improvements

December 2020

Prepared By:
Huitt-Zollars, Inc
333 Rio Rancho Drive NE, Suite 101, Rio Rancho, New Mexico
(505) 892-5141

Preliminary Cost Estimate

Twining Road Reconstruction Option A - Phase A/B

From: Hunt-Zellers
333 Rio Rancho Dr, Ste 101
Rio Rancho, NM 87124
(505) 892-5141 phone
(505) 892-3299 fax

Date:
To:
Attn:
Phone:
Cell:
Job Name:
Job Location:

1/25/2021
Village of Taos Ski Valley
Patrick Nicholson
575.776.8220 Ext 6
575.770.5601
Twining Road
Village of Taos Ski Valley

Option A								
Bid Item	Item Number	Short Description	UoR	Est. Qty	Unit Price	Amount	As-Built Qty	As-Built Amount
		GENERAL						
1	4.010	CONSTRUCTION STAGING	LS	1	\$ 60,000.00	\$ 60,000.00		
2	4.020	CONSTRUCTION SURVEY	LS	1	\$ 25,000.00	\$ 25,000.00		
3	300.000	UTILITY RELOCATION ALLOWANCE	ALLOW	1	\$ 65,000.00	\$ 65,000.00		
4	6.050	MOBILIZATION / DEMOBILIZATION	LS	1	\$ 125,000.00	\$ 125,000.00		
5	300.000	MATERIALS TESTING	ALLOW	1	\$ 60,000.00	\$ 60,000.00		
6	19.010	TRAFFIC CONTROL, BARRICADES & TEMP FENCE	LS	1	\$ 45,000.00	\$ 45,000.00		
7	30.000	NPDES PERMITTING & MAINT.	LS	1	\$ 35,000.00	\$ 35,000.00		
		SUBTOTAL GENERAL				\$ 415,000.00		
		REMOVALS						
8	341.000	AC PAVMT, >4" SAW, RAD	SY	200	\$ 27.00	\$ 5,400.00		
9	701.110	TRENCH BP 18"-48", <8'-12"	LF	2500	\$ 60.00	\$ 150,000.00		
10	921.740	REMOVE & DISPOSE STORMLINE	LF	2500	\$ 20.00	\$ 50,000.00		
11	915.040	REMOVE & DISPOSE STORM INLETS	EA	4	\$ 5,000.00	\$ 20,000.00		
12	920.570	REMOVE & DISPOSE EXISTING 4" DIAMETER MANHOLE	EA	10	\$ 10,000.00	\$ 100,000.00		
		SUBTOTAL STORM				\$ 325,400.00		
		PAVING						
13	202.010	UNCLASSIFIED EXCAVATION	CY	5000	\$ 19.80	\$ 99,000.00		
14	202.011	EXCAV & DISP UNSUITABLE MATERIAL	CY	1000	\$ 22.00	\$ 22,000.00		
15	202.020	ROCK, BLAST, EXCAV & DISP	CY	6600	\$ 55.00	\$ 363,000.00		
16	205.010	FILL, BORROW, HAUL, COMPACT, CIP	CY	10000	\$ 30.00	\$ 300,000.00		
17	301.020	SUBGRADE PREP, 12"	SY	15000	\$ 2.00	\$ 30,000.00		
18	302.010	AGGREGATE BASE COARSE	TON	4200	\$ 42.90	\$ 180,180.00		
19	336.024	ASP CONC., SUPERPAVE, 3", H	TON	1250	\$ 155.00	\$ 193,750.00		
20	337.020	6" RCC PAVEMENT, REINFORCEMENT INCL	SY	25	\$ 182.60	\$ 4,565.00		
21	340.010	SIDEWALK, 4", RCC	SY	1170	\$ 132.00	\$ 154,440.00		
22		LIGHT POLE BASES	EA	5	\$ 2,500.00	\$ 12,500.00		
23	340.021	SDWK 24" ORN	EA	2	\$ 3,500.00	\$ 7,000.00		
24	340.023	W/CHR ACC RAMP, 4", RCC HEADCURB & DET WARR	SY	60	\$ 160.00	\$ 9,600.00		
25	340.050	6" B G. RCC	LF	5000	\$ 49.50	\$ 247,500.00		
26	441.001	4" THERMOPLASTIC	LF	5000	\$ 2.00	\$ 10,000.00		
27	441.005	24" THERMOPLASTIC MARKINGS	LF	30	\$ 10.00	\$ 300.00		
28	450.001	ALUM PNL SGN	SA	48	\$ 25.00	\$ 1,200.00		
29	450.010	50 TB POST	LF	80	\$ 50.00	\$ 4,000.00		
30	450.010	CONCRETE WALL (0.2)	LF	500	\$ 150.00	\$ 75,000.00		
31	801.111	UTILITY ADJUSTMENTS TO GRADE	LS	20	\$ 1,250.00	\$ 25,000.00		
		SUBTOTAL PAVING				\$ 1,726,935.00		
		STORM DRAIN						
32	701.110	TRENCH BP 18"-48", <8'-12"	LF	2500	\$ 80.00	\$ 200,000.00		
33	915.040	CATCH BASIN, TYPE "C" DOUBLE GRATE INLET	EA	8	\$ 6,250.00	\$ 50,000.00		
34	915.060	CATCH BASIN, TYPE "D" DOUBLE GRATE INLET	EA	4	\$ 5,200.00	\$ 20,800.00		
35	920.010	6" DIA MH TYPE C	EA	10	\$ 20,000.00	\$ 200,000.00		
36	930.030	POST CONST VIDEO INSPECT	LF	1820	\$ 3.25	\$ 5,915.00		
37	901.500	MH CONNECTION	EA	2	\$ 4,800.00	\$ 9,600.00		
38	910.002X	24" HPPV STORM DRAIN PIPE	LF	440	\$ 88.00	\$ 38,720.00		
39	910.010X	30" HPPV STORM DRAIN PIPE	LF	625	\$ 106.00	\$ 66,250.00		
40	910.010X	36" HPPV STORM DRAIN PIPE	LF	875	\$ 117.50	\$ 102,812.50		
41	910.010X	48" HPPV STORM DRAIN PIPE	LF	560	\$ 130.00	\$ 72,800.00		
42	915.04X	STORM DRAIN OUTLET	LS	4	\$ 8,500.00	\$ 34,000.00		
		SUBTOTAL STORM				\$ 801,807.50		
		SANITARY SEWER						
43	701.020	TRENCH BP 4'-15" SAS, 8'-12"	LF	900	\$ 30.00	\$ 27,000.00		
44	901.030	8" SANITARY SEWER SERVICES	EA	10	\$ 2,800.00	\$ 28,000.00		
		SUBTOTAL SANITARY SEWER				\$ 105,000.00		

Bid Item	Item Number	Short Description	Unit	Est. Qty	Unit Price	Amount	As-Built Qty	As-Built Amount
		DOMESTIC WATER & FIRELINE						
45	801.002	6" WL PIPE, w/o FITTINGS	LF	180	\$ 29.25	\$ 5,265.00		
46	801.003	8" WL PIPE, w/o FITTINGS	LF	4500	\$ 38.75	\$ 174,375.00		
47	801.059	NON PRESS CONN w/FITTINGS, WL	EA	2	\$ 3,500.00	\$ 7,000.00		
48	801.065	DI FIT, MJ 4"-14", WL	LB	9000	\$ 2.35	\$ 21,150.00		
49	801.081	6" GATE VALVE	EA	9	\$ 715.00	\$ 6,435.00		
50	801.082	8" GATE VALVE	EA	12	\$ 885.00	\$ 10,620.00		
51	801.105	VALVE BOX A	EA	21	\$ 325.00	\$ 6,825.00		
52	801.114	FIRE HYDRANT 4 1/2" DURY	EA	9	\$ 5,100.00	\$ 45,900.00		
53	801.150	4" - 8" MEGALUGS	EA	95	\$ 62.90	\$ 5,975.50		
54	801.155	JNT REST HRNSS, 4"-8"	EA	62	\$ 94.50	\$ 5,859.00		
55	802.620	1" WATER SERVICE, SGL	EA	30	\$ 4,510.00	\$ 135,300.00		
56	801.05X	FRENCH BF 6"-12" WL <4'	LF	180	\$ 30.00	\$ 5,400.00		
		SUBTOTAL WATERLINE				\$ 430,104.50		
		LIGHTING						
57	705.000	LIGHTING SYSTEM START UP COSTS	ALLOW	1	\$ 6,500.00	\$ 6,500.00		
58	706.230	METER PEDISTAL (LIGHTING)	EA	1	\$ 10,000.00	\$ 10,000.00		
59	706.405	LIGHTING CONTROL CABINET	EA	1	\$ 2,500.00	\$ 2,500.00		
60	707.000X	30' LED LIGHT POLE	EA	5	\$ 4,000.00	\$ 20,000.00		
61	716.700	LUMINAIRE TYPE LED	EA	5	\$ 7,500.00	\$ 37,500.00		
62	709.010	RIGID ELECTRICAL CONDUIT 1" DIA	LF	2000	\$ 5.10	\$ 10,200.00		
63	711.106	SINGLE CONDUCTOR 6	LF	2500	\$ 3.35	\$ 8,375.00		
64	711.110	SINGLE CONDUCTOR 10	LF	2500	\$ 2.25	\$ 5,625.00		
		SUBTOTAL LIGHTING				\$ 100,700.00		
		LANDSCAPE						
65	1005.010	2" caliper trees	EA	20	\$ 390.00	\$ 7,800.00		
66	1005.020	15 gallon trees	LF	8	\$ 175.00	\$ 1,400.00		
67	1005.110	5 gallon shrubs	LF	50	\$ 35.00	\$ 1,750.00		
68	1005.210	1 gallon shrubs	LF	100	\$ 12.00	\$ 1,200.00		
69	1006.010	Boulders	EA	8	\$ 130.00	\$ 1,040.00		
70	1005.110	Gravel mulch	SF	500	\$ 1.30	\$ 650.00		
71	100X.00X	Pecan shell mulch	SF	400	\$ 1.30	\$ 520.00		
72	603.050	Filter fabric	SF	17480	\$ 0.18	\$ 3,146.40		
73	100X.00X	Boilards	EA	7	\$ 1,400.00	\$ 9,800.00		
		SUBTOTAL LANDSCAPE				\$ 27,306.40		
		Street Scape						
74	100X.00X	Bike Racks	LS	1	\$ 7,500.00	\$ 7,500.00		
75	100X.00X	Street Furniture	LS	1	\$ 30,000.00	\$ 30,000.00		
76	100X.00X	Way Finding	LS	1	\$ 15,000.00	\$ 15,000.00		
		SUBTOTAL IRRIGATION				\$ 52,500.00		

SUBTOTAL		\$ 3,984,753.40
CONTINGENCY	% 20.0000%	\$ 796,950.68
TAX	% 9.4375%	\$ 451,273.32
TOTAL		\$ 5,232,977.40

Project Data Sheet

Village of Taos Ski Valley Twining Road

Project Request

Fiscal Year	2022
County	Taos
City/Village	Village of Taos Ski Valley

Road Project Description

Road Name:	Twining Road
Functional Classification	Minor Collector
Length	1.1 Miles
From	Parking Lot
To	Zaps Road

Anticipated Letting Date	03/15/22
Gravel Road	Yes
Major Work Type	Slope Flattening & Paving

Project Budget Construction Only

STP	\$4,232,977
Local Match	\$1,000,000
Total Project Costs	\$5,232,977

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve the Renewal of Village GIS outside contractor contract

DATE: February 22, 2022

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village has many contracts with outside contractors for ongoing and on-call projects and services. The contract stated below was running from December to December and was outside of the fiscal year period making it more difficult to budget. Staff is requesting renewal of this contract for 4 months through June 30, 2022. This contract will be grouped with the annual contract renewal request in July 2022.

The impact on of the Sage GIS contract renewal is \$14,000 for FY2022 and has already been included in the FY2022 budget. The impact for FY2023 contract renewal is anticipated to be \$42,000 based on a monthly rate of \$3,500.

RECOMMENDATION: Staff recommends authorization and approval to renew this contract for services provided throughout the Village.



**Contract:
SageGIS, LLC**

Contract # VTSV-2022-12

**PROFESSIONAL SERVICES CONTRACT
For GIS Services**

This contract is hereby made and entered into by and between the Village of Taos Ski Valley, a New Mexico Municipality (hereinafter "VILLAGE") and, SageGIS, LLC (hereinafter "CONTRACTOR") on this 22nd day of February, 2022.

WHEREAS, the VILLAGE has found it necessary to retain the services of CONTRACTOR to provide GIS services for the VILLAGE; and

WHEREAS, the VILLAGE desires to engage CONTRACTOR to provide said services; and

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

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

1. Scope of Work: CONTRACTOR shall provide services to the Village to establish and maintain a fully functional municipal GIS system including needs assessment, system design, data compilation, base layer creation and development, spatial analysis, and mapping. Specific tasks include but may not be limited to:
 - A. Implement functional improvements to improve efficiency and system usefulness for staff. Identify data gaps, acquisition of parcel maintenance layer, incorporating collected GPS field data. Identify a standard method to collect valid GPS field data, ongoing. (300 Hours)
 - B. Work with VTSV staff to provide training in the use of GIS as well as improve map products such as municipal zoning, utilities, infrastructure, ownership, public trails, development scenarios, and Village Clerk requests (250 hours)
 - C. E-911 addressing coordination/management ongoing. (same as 2020 scope of work continuation + Intrado iup training and editing). (200 hours)
 - D. Web-based GIS public notification application buildout maintenance. Coordinating with Taos County to correct boundary discrepancies/disparity as found/ongoing. (200 hours)
 - E. ESRI subscription management. Land use layer buildout. (100 hours)
 - F. Comprehensive Plan Update to include GIS Support and Analysis, Mapping, Census Data Provision (200)
 - G. Community Fire Mitigation Plan/Firewise - GIS Dashboard, GIS data collection framework and analysis. Including comprehensive schema allowing for analysis and visualization of Firewise Status. A framework to make effective decisions. (150 hrs.)

H. Parks and Recreation Trail Program - GIS Dashboard, GIS data collection framework, and analysis. Including comprehensive schema allowing for analysis and visualization of Parks and Recreation Trail and Inf Status. A framework to make effective decisions. (150 hrs.)

2. Address & Phone Contact. The address and phone number of Contractor is:

SageGIS, LLC CGIS
PO Box 1901
El Prado, NM 87529
(505)-469-8317

3. Term. This contract shall be effective from March 1, 2022, through June 30, 2022, unless sooner terminated pursuant to the termination provision below or by completion of said services. This contract shall not be effective until approved by the VILLAGE Council and signed by the Village Administrator.

4. Renewal. VILLAGE shall have the right, but is not obligated, to renew this contract subject to terms agreeable to both the VILLAGE and CONTRACTOR.

5. Contract Management. Contract management, project coordination, and acceptance of deliverables is assigned by the VILLAGE to the Director of Planning & Community Development.

6. Compensation. The VILLAGE shall pay CONTRACTOR, under this contract:

- \$3,500 per month + NM GRT, net 30 days; invoicing on or near the 15th of each month.
- Other Reimbursable expenses: copies, printing, mailing charges would be reimbursed at cost.
- Compensation shall directly relate to the deliverables as assigned by the VILLAGE within milestones indicated in the Contractor's proposal and shown as a percentage completed to date on each invoice.

7. Release. CONTRACTOR agrees that, upon final payment of the amount due under this contract, CONTRACTOR releases the VILLAGE from all liabilities, claims, and/or obligations whatsoever arising from, or under, this contract.

8. Appropriations. This contract is contingent upon there being sufficient appropriations available. The VILLAGE shall be the sole and final determiner of whether sufficient appropriations exist. FY 2023 appropriations will be necessary to complete and fully fund the entire contract amount.

9. Annual Review. This contract is subject to an annual review by the VILLAGE. If any deficiencies are noted during the review process, the Contractor shall be given a specified time, as per the Notice to Cure provision below, in which to cure said deficiency (ies).

10. Termination. This contract may be terminated at will, by either party, with or without cause. Termination shall be by written notice which shall be delivered or mailed (certified mail, return receipt) to the other party. If notice is by mail, notice (i.e., the effective date of termination) will be deemed to be effective three (3) calendar days from the date of the postmark. If notice is hand-delivered, termination is effective as of the time of delivery to the CONTRACTOR (personally or at his/her office) or when delivered to the Office of the VILLAGE Administrator. If notified of termination, CONTRACTOR shall immediately cease performing services and deliver, to VILLAGE, any work in progress. If CONTRACTOR terminates this contract, notice of termination shall include CONTRACTOR's final billing statement. In no event shall termination nullify obligations of either party prior to the effective date of termination.

11. Conflicts Provision. Should there be any conflict between any terms, condition or understanding between any term or condition contained in this contract and those documents incorporated by reference, the terms and conditions of this contract shall govern.

12. Work Product. All work and work product produced under this contract shall be and remain the exclusive property of the VILLAGE, and CONTRACTOR shall not use, sell, disclose, or otherwise make available to

anyone (individual, corporation, or organization), other than the VILLAGE, any such work or work product or copies thereof. If applicable, the provision of Sec. 13-1-123(B), N.M.S.A. (1978 as amended) shall apply. Further, CONTRACTOR shall not apply for, in their name or otherwise, for any copyright, patent or other property right and acknowledges that any such property right created or developed remains the exclusive right of the VILLAGE.

13. Status of Contractor. CONTRACTOR acknowledges that he is an independent contractor and as such neither they nor their employees, agents or representatives shall be considered employees or agents of the VILLAGE nor shall they be eligible to accrue leave, retirement benefits, insurance benefits, use of VILLAGE vehicles, or any other benefits provided to VILLAGE employees.

14. Non-Agency. CONTRACTOR agrees not to purport to bind the VILLAGE to any obligation not assumed herein by the VILLAGE, unless the CONTRACTOR has express written approval and then only within the limits of that expressed authority.

15. Confidentiality. Any information learned, given to, or developed by CONTRACTOR in the performance of this contract shall be kept confidential and shall not be made available or otherwise released to any individual or organization without the prior written approval of the VILLAGE.

16. Worker's Compensation. CONTRACTOR acknowledges that neither they nor their employees, agents or representatives shall have any claim whatsoever to worker's compensation coverage under the VILLAGE's policy.

17. Taxes. CONTRACTOR acknowledges that they and they alone, shall be liable for and shall pay to the New Mexico Taxation & Revenue Department, the applicable gross receipts taxes on all monies paid to them under this contract, and that the VILLAGE shall have no liability for payment of such tax. CONTRACTOR also acknowledges that they, and they alone, shall be liable to the State and Federal government(s) and/or their agencies for income and self-employment taxes required by law and that the VILLAGE shall have no liability for payment of such taxes or amounts.

18. Records-Audit. CONTRACTOR shall keep, maintain, and make available, to the VILLAGE, all records, invoices, bills, etc. related to performance of this contract for a period of three (3) years after the date of final payment. If federal grant funds are used to pay under this contract, Contractor shall retain all records for the period of time under which OMB Circular 102-A shall apply. Said records shall be available for inspection, audit and/or copying by the VILLAGE or its authorized representative or agent, including federal and/or state auditors.

19. Indemnification. CONTRACTOR agrees to indemnify and hold harmless the VILLAGE from any and all claims, suits, and causes of action which may arise from their performance under this contract unless specifically exempted by New Mexico law. CONTRACTOR further agrees to hold harmless the VILLAGE from all personal claims for any injury or death sustained by CONTRACTOR, their employees, agents, or other representatives while engaged in the performance of this contract.

20. Assignment & Subcontracting. CONTRACTOR shall not assign, transfer, or subcontract any interest in this contract or attempt to assign, transfer, or subcontract any claims for money due under this contract without the prior written approval of the VILLAGE.

21. Conflict of Interest. CONTRACTOR warrants that they presently have no interest or conflict of interest and shall not acquire any interest or conflict of interest which would conflict with their performance of services under this contract.

22. Non-Discrimination. CONTRACTOR agrees that they, their employee(s) and/or agent(s) shall comply with all federal, state, and local laws regarding equal employment opportunities, fair labor standards, and other non-discrimination and equal opportunity compliance laws, regulations, and practices.

23. Ethical Considerations. CONTRACTOR shall abide by Contractor's Code of Professional Responsibilities and/or applicable Canons of Ethics as prescribed by their profession. Failure of any owner, partner, or major employee employed by CONTRACTOR to remain in good standing shall immediately render

this contract voidable at the sole discretion of the VILLAGE, and, if declared voidable, all obligations of the VILLAGE to perform hereunder shall be nullified.

24. Required Liability Insurance. CONTRACTOR shall maintain liability insurance in an amount at least equal to the requirements set forth by the New Mexico Tort Claims Act, Sec. 41-4-19, N.M.S.A. 1978 (as amended).

25. Default by Contractor. In the event that CONTRACTOR defaults on any term or provision of this contract, the VILLAGE retains the sole right to determine whether to declare the contract voidable and/or CONTRACTOR agrees to pay the VILLAGE the reasonable costs, including court fees and attorney fees and direct and indirect damages, incurred in the enforcement of this contract.

26. Efforts to Cure. If the VILLAGE elects to provide the Contractor with notice to cure any deficiency or defect, the Contractor may have the time specified in the written "Notice to Cure" Authorization. Failure, by the Contractor, to cure said deficiency or defect, within the authorized time, shall result in an immediate termination of this contract subject to the provision of No. 9 above.

27. Severability. In the event that a court of competent jurisdiction finds that any term or provision of this contract is void, voidable or otherwise unenforceable, all other terms and provisions shall remain intact and enforceable where not otherwise inconsistent with the Court's findings.

28. Scope of Agreement. This contract incorporates all of the agreements and understandings between the parties. No prior agreement(s) or understanding(s), verbal or otherwise, shall be valid or enforceable unless embodied in this contract.

29. Amendment(s) to This Contract. This contract shall not be altered, changed, modified, or amended, except by instrument, in writing, executed by both parties.

30. Applicable Law. This contract shall be governed by the Laws of the State of New Mexico and the Ordinances, resolutions, rules, and regulations of the VILLAGE. Any legal proceeding brought against the VILLAGE, arising out of this contract, shall be brought before the Eighth Judicial District Court, Taos County, and State of New Mexico.

31. Illegal Acts. Pursuant to Sec. 13-1-191, N.M.S.A. 1978 (as amended), it shall be unlawful for any CONTRACTOR to engage in bribery, offering gratuities with the intent to solicit business, or offering or accepting kickbacks of any kind. All other similar act(s) of bribes, gratuities, and/or kickbacks are likewise hereby prohibited.

IN WITNESS HEREOF, the parties have executed this Agreement as of the date first written above.

Village of Taos Ski Valley

John Avila, Village Administrator

ATTEST:

ANN M. WOOLDRIDGE, VILLAGE CLERK

James A Porter

SageGIS, LLC

CONTRACTOR'S GRT/CRS NUMBER or

CONTRACTOR'S FED. TAX ID NO. or SSN