



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

EDELWEISS LODGE CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO

MONDAY, NOVEMBER 3, 2014 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:05 p.m. Roll call was taken and a quorum was established. Commission members present: April Bender, Susan Nichols, Chris Stagg, Tom Wittman, and new Commissioner Jim Woodard. Commission members absent: Henry Caldwell and Richard Duffy. Staff members present: Village Administrator Mark Fratrack, Community Development Director Don Schieber, Planner Matthew Foster, Clerk Ann Wooldridge, and Village Attorney Dennis Romero.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as submitted.

Motion: Susan Nichols **Second:** Chris Stagg **Passed:** 5-0.

III. APPROVAL OF THE MINUTES OF THE AUGUST 4, 2014 MEETING

MOTION: To approve the minutes as presented.

Motion: April Bender **Second:** Chris Stagg **Passed:** 5-0.

IV. WORKSHOP:

A. Presentation by Taos Ski Valley Inc. Regarding Financing Alternatives for Village Infrastructure Upgrades and Core Village Re-Development

Chaz Rocky with TSV Inc. presented a PowerPoint presentation that outlined some of the financing alternatives that TSV Inc. has been exploring. These options are being considered in order to fund needed infrastructure improvements to support the proposed development of the Village core area. These alternatives include a Public Improvement District (PID) and a Tax Increment Development District (TIDD). The purpose of the presentation was to give the Commission and the public an opportunity to learn about the proposed development, the financing alternatives being considered, and to ask questions of the developers.

As Mr. Rocky explained, the public improvement plan goals are to address current and proposed infrastructure needs, to position VTSV to support future development, enhance the experience for residents and visitors with new and/or improved public spaces, and to properly position VTSV as a world-class year-round destination, all with a minimal financial impact on residents. The improvements that are planned include new core Village water and sewer lines, the wastewater treatment plant replacement, an up-valley utility trench, public plazas, and improved roads and river crossings. The costs total \$36.2 million. The financing sources being explored are the utility companies, especially for the up-valley trench, as well as State and Federal programs, a Village contribution, funding from private developers, as well as these infrastructure financing mechanisms, such as a PID or a TIDD. These are special, limited-purpose government entities that would have to be authorized by the Village Taos Ski Valley Council for the purpose of financing certain public improvements. The improved infrastructure would be owned by the Village. A PID or a TIDD would be subject to Village regulations. These entities can issue bonds to raise capital to support public improvements. The bond proceeds are used to reimburse up-

front outlays. The source of funds for a PID would be special assessments on benefited property owners within the district. For a TIDD, funds would come from a growth in GRT and property tax revenue resulting from the project. There would be no assessment, levy, or increased tax. The area for a PID would be roughly the Village core area, whereas the area for a TIDD would most likely be the same as the Village boundary.

More specifically, in a TIDD, growth is paying for growth. There are no additional assessments or taxes. It captures increased GRT and property tax revenue as a result of rising land values, construction activity and growth of business activity. There is an option to collect minimal property tax, but this will not be utilized. Formation requires a vote of more than 50% of land owners. It has a 25 year life from first public bond issuance, and it is managed by a Board of Directors. In a PID, the boundary is based upon parcels directly benefiting from the improvements. There is no assessment unless a parcel is re-developed from its current use; assessment is based on the level of re-development. Assessments and property taxes would be less than 1.95% of assessed market value. Formation requires 75% vote by land owners (by acreage), and the PID is also managed by a Board of Directors.

The next steps are that after addressing questions raised during this workshop, applications will be prepared and filed at the Village in the near future. That will be followed by public hearings and then eventually a vote by property owners and registered voters within each proposed district on whether to form the Districts. Bonds issued to the public markets will not occur until each District has the capacity to service the debt. They anticipate that capacity will occur within the following 3 to 6 years. Bonds would not become the debt of the Village.

After the presentation, Mr. Rocky answered questions: he said that development is not based on the Taos airport expansion. Not all of the improvements needed would be funded by the PID or TIDD; the developer has already funded much of the set-up costs and leg-work, for example in getting the up-valley trench moving forward. There are many statutory rules about the voting procedure will need to be worked out, but Mr. Rocky said that if a property owner is both an elector and a registered voter, they would vote under the rules for property owners. Several property owners at the workshop spoke in favor of forming these districts.

(Henry Caldwell entered the meeting at 1:55 p.m.)

It would be best to put one or both of these districts in place soon, in order to figure out the baseline and to capture the increases in tax revenue for the District. The revenue would get allocated to the District at 75% and to the Village at 25%. The District's portion would go for reimbursement of the costs of building the infrastructure, and the portion to the Village would be for maintaining the new infrastructure. The developer is planning on submitting an application in December for a possible election to be held in late January.

V. NEW BUSINESS

A. Discussion of Proposed Revision to Ordinance #2004-38, An Ordinance Adopting Regulations for Water Use Within the Village of Taos Ski Valley

Director Schieber explained that the ordinance was adopted in 2003, and some of the items required by the ordinance are untenable or outdated. This new draft ordinance would require all property owners to tie into the Village water distribution system if the property is within 300 feet of a water line. The purpose for requiring all property owners to tie into the water system is to protect water resources and to manage the water supply more efficiently. The ordinance allows drilling a domestic well of the property is over 300 feet from a water line or in the event that tying into the water system is not financially feasible. The ordinance also permits the transfer of water rights from property owners to the Village when they tie into the system.

This ordinance is in following with the rules outlined in the recently adopted electric ordinance and sewer ordinance. Schieber clarified that the Village has no jurisdiction over wells, the Village just has oversight over whether a property owner has the necessary permits from the NMED. The Village can authorize that a well be built, but not give the permit for the well. After more discussion of various items in this draft ordinance, it was decided that Staff will work out some more of the details, and bring the next draft back at the December meeting.

VI. MISCELLANEOUS

Commission Chair Wittman said that Neal King is in touch with Elisabeth Brownell concerning a possible Commissioner Emeritus status.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting will take place on Monday, December 8, 2014 at 1:00 p.m. at the Looking Glass Room at Tenderfoot Katie's in the TSV Resort Center

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Susan Nichols

Second: April Bender

Passed: 6-0.

Tom Wittman, Chairperson