



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, January 23, 2023 6:00 PM**  
**Agenda**

*Please silence all electronic devices.*

**Mayor - Joshua Ramsell**  
**Mayor Pro Tem - Margaret R. Gutjahr**  
**Council - Arthur Apodaca, Lawrence R. Gordon, Jimmie Winters**

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Approval of Agenda**

**Approval of Minutes**

1. **City Council Special Business Meeting Minutes (12/20/2022)**
2. **Minutes for the City Council Workshop & Regular Business Meeting (01/09/2023)**

**For the purpose of the request for a rezoning and special permanent use permit for a solar collector overlay.**

**a) Trigo Sol, LLC agent for Empart LTD Company: Proposed Location: Subd: RIO DEL ORO Lot: A1B Block: 1 Unit: 64 22.33 AC D-5-16B 1999 REV, 100902839535000000 R172985 Subd: RIO DEL ORO Lot: A1C Block: 1 Unit: 64 20.24 AC D-5-16B 1999 REV, 100902836543000000 R172984**

**b) Total Energies Renewables USA, LLC: Legal Description: UPC: 1011028015470000000: RIO DEL ORO Lot: PARK SITE Block: 56 Unit: 47 34.77 ACRES 2005 REV**

3. **Motion and roll call vote to recess the City Council Regular Business Meeting session and to go into Public Hearing**

**Consideration of:**

**a) Trigo Sol, LLC agent for Empart LTD Company: Proposed Location: Subd: RIO DEL ORO Lot: A1B Block: 1 Unit: 64 22.33 AC D-5-16B 1999 REV, 100902839535000000 R172985 Subd: RIO DEL ORO Lot: A1C Block: 1 Unit: 64 20.24 AC D-5-16B 1999 REV, 100902836543000000 R172984**

**b) Total Energies Renewables USA, LLC: Legal Description: UPC: 1011028015470000000: RIO DEL ORO Lot: PARK SITE Block: 56 Unit: 47 34.77 ACRES 2005 REV**

**Motion and roll call vote to go back into the City Council Regular Business Meeting session**

**Action Items**

NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT CITY HALL, 360 RIO COMMUNITIES BLVD, RIO COMMUNITIES, NM 87002. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY OTHER FORM OF AUXILIARY AND OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE MUNICIPAL CLERK AT 505-861-6803 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.

4. **Discussion, Consideration, and Decision – Regarding applicant Trigo Sol, LLC agent for Empart LTD Company for a rezoning of solar overlay**
5. **Discussion, Consideration, and Decision – Regarding applicant Trigo Sol, LLC agent for Empart LTD Company a special use permit for a solar collector overlay**
6. **Discussion, Consideration, and Decision – Regarding applicant Total Energies Renewables USA, LLC for a rezoning of solar overlay**
7. **Discussion, Consideration, and Decision – Regarding applicant Total Energies Renewables USA, LLC a special permanent use permit for a solar collector overlay**

**Public Comment:** The Council will take public comments in written format. These should be emailed to admin@riocommunities.net through 4:45 PM on Monday, January 23, 2023. These comments will be distributed to all Councilors for review. If you wish to speak during the public comment session, the Council will allow each member of the public to three (3) minutes to address the Council. Both the public and Council will follow rules of decorum. Give your name and where you live. The public will direct comments to the City Council. Comment(s) will not be disruptive or derogatory.

**The Council will not take action or engage in discussion regarding the comments made or received, but when appropriate the matters raised may be referred to staff or others for further review. Both the public and Council will follow rules of decorum. Derogatory Comments or matters under litigation will not be allowed and any person or persons addressing the Council are liable for their own statements, not the Council. Statements are limited to a maximum of 3 minutes duration. Please give your name and where you live for the record.**

#### **Manager Report**

8. **January 13, 2023 Gas odor update**

#### **Action Items**

9. **Discussion, Consideration, and Decision – Approval of Accounts Payable**
10. **Discussion, Consideration, and Decision – Authorization to Appropriate funds for Library Assistant Position**
11. **Discussion, Consideration, and Decision – Resolution 2023 – XX BAR #3 (Budget Adjustment Resolution)**
12. **Discussion, Consideration, and Decision – Resolution 2023 - XX Second Quarter Financial Report**
13. **Discussion, Consideration, and Decision – Donation of the Fire Equipment to Antiqua and Barbuda**
14. **Discussion, Consideration, and Decision – MOU (memorandum of understanding) Between the Department of Homeland Security and Emergency Managements, State Fire Marshal Division and the City of Rio Communities**
15. **Discussion, Consideration, and Decision – Consent Agenda**

#### **Council Discussion**

NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT CITY HALL, 360 RIO COMMUNITIES BLVD, RIO COMMUNITIES, NM 87002. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY OTHER FORM OF AUXILIARY AND OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE MUNICIPAL CLERK AT 505-861-6803 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.

**Executive Session - For the purpose of the abandoned Car Wash and abandoned Car Dealership subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant; pursuant to NMSA 10-15-1(H)(7) and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)**

**\* Motion and roll call vote to go into close session**

**\* Motion and roll call vote to go back into the regular business meeting session**

**\* Welcome everyone back and statement by the Mayor:** The Governing Body of the City of Rio Communities, New Mexico, hereby states that on January 23, 2023 a Closed Executive Session was held and the matters discussed were For the purpose of the abandoned Car Wash and abandoned Car Dealership subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant; pursuant to NMSA 10-15-1(H)(7) and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)

### **Action Items**

- 16. Discussion, Consideration, and Decision - For the purpose of the abandoned Car Wash and abandoned Car Dealership subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant; pursuant to NMSA 10-15-1(H)(7) and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)**

### **Adjourn**

Please join us from the comfort and safety of your own home by entering the following link: @  
<https://www.facebook.com/riocommunities>

***Council may be attending the Economic Development Task force held in Rio Communities City Hall/Virtual, Rio Communities NM on Wednesday January 25, 2023 from 5-6 pm a possible quorum may be in attendance.***