



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, March 28, 2022 6:00 PM
Agenda

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem - Margaret "Peggy" Gutjahr

Council - Arthur "Art" Apodaca, Lawrence R. Gordon, Jim Winters

ATTENTION: We encourage you to participate in the City Council Regular Business Meeting from the comfort and safety of your own home by entering the following link: @ <https://www.facebook.com/riocommunities>

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda

Approval of Minutes

1. City Council Special Business Meeting Minutes (03/09/2022)
2. Minutes for the City Council Workshop & Regular Business Meeting (03/14/2022)

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, March 28. 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.

Manager Report

3. a) **Dangerous Property**

Action Items

4. Discussion, Consideration, and Decision – Approval of Accounts Payable
5. Discussion, Consideration, and Decision – Employee Stipend(s)
6. Discussion, Consideration, and Decision – Resolution 2022 - xx Valencia County Mitigation Plan of 2022
7. Discussion, Consideration, and Decision – Court Clerk Position - Hours & Wage rate
8. Discussion, Consideration, and Decision – Public Works Position - Wage rate
9. Discussion, Consideration, and Decision – Grant Writer(s)

Council Discussion

Executive Session - For the purpose of Fire Chief Recruitment position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters; Pending litigation pursuant to NMSA 10-15-1(H)(7) – AC Disposal v. City of Rio Communities 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 March 28, 2022 a Closed Executive Session was held and the matters discussed were the Fire Chief Recruitment position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters; Pending litigation pursuant to NMSA 10-15-1(H)(7) – AC Disposal v. City of Rio Communities 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

Consideration & Decision – Mayor recommendation regarding the Fire Chief Recruitment position (Andrew Tabet); pending litigation AC Disposal v. City of Rio Communities and the purchase, addition or disposal of real property or water rights by the public body

Adjourn

Council may be attending VALEO (Valencia Association of Local Elected Officials) meeting held at UNM Valencia Workforce Training Center in Los Lunas on March 29 at 6:00 pm, the Economic Development Priorities Meeting held virtual in Rio Communities NM on March 30 starting 6:00 pm, and the Public Taskforce meeting held virtual/in person in Rio Communities NM on April 5 starting 6:00 pm a possible quorum may be in attendance.

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.



City of Rio Communities Council Special Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Wednesday, March 09, 2022 10:00 AM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called to order the special business meeting agenda 10:00 am.

Pledge of Allegiance

- Councilor Gutjahr led the Pledged of Allegiance.

Roll Call

- PRESENT: Mayor Joshua Ramsell, Mayor Pro tem Peggy Gutjahr, (virtual) Councilor Lawrence Gordon, Councilor Jim Winters.
 ABSENT: Councilor Arthur Apodaca.
 Present: City Manager Dr. Martin Moore, Municipal Clerk Lisa Adair and Economic Development Consultant Ralph Mims.

Approval of Agenda

- Motion made by Mayor Pro tem Gutjahr to approve the agenda for the special business meeting. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Gordon, Councilor Winters. with a 3-0 vote the agenda for the special business meeting was approved as presented.

Infrastructure discussion with Congressional staff

- Presentation with Lia Stefanovich, who is the grants coordinator for Representative Stansbury's office and began a presentation explaining the infrastructure bill that came from The White House which was passed last year for 1.2 trillion dollars. The bill aims at physical infrastructure builds and repairs, such as pipes, broadband access for rural communities, road care, public transit, electric vehicle charges, power infrastructure, water infrastructure, and investment in environmental remediation, but mainly focuses on roads and bridges.
- Manager Dr. Moore asked is the money for alternative transportation going to go towards the traditional grant sources as in the TAP program.
- Ms. Stefanovich said yes and said there are a few different grants that offer the program but once she emails the presentation, they can look into the other grants to see what else they offer and continued with the presentation.
- Mr. Mims asked when would the State roll out the grants.
- Ms. Stefanovich said her understanding is there has been a lot of preoccupation with distribution with funding but are expecting within the next few months.
- Mayor Ramsell said this information is available at [thewhitehouse.gov](https://www.whitehouse.gov).
- Ms. Stefanovich explained yes, and this is all public information, and will be sending this to the Municipal Clerk as well.
- Mayor Ramsell said the big one will be infrastructure on roads and in the city, as the roads we have around the city are about 30 years old, as some are about 50 to 60 years old.
- Manager Dr. Moore said for the future, fiber is a big one mainly for our businesses, water and sewer which is a private company, but private/public partnership are a possibility, and

expanding compacity for water and sewer is going to be critical for us in future growth due to us hitting a cap in about 2 to 3 years.

- Ms. Stefanovich said there are a few wastewater grants, she believes counties are the best applicants but will look up what's best for small communities as well.
- Ms. Stefanovich asked if Council had asked the county for help with road and water needs.
- Manager Dr. Moore stated not yet and hasn't really thought of that direction to go towards.
- Ms. Stefanovich said she will look over the water grants that have been introduced and see which one will fit our needs the most.
- Manager Dr. Moore asked if there will be any grants that have a direct federal application.
- Ms. Stefanovich said yes, they are competitive grant programs but mainly will go to the state but will accept applications and will not discriminate.
- Manager Dr. Moore asked is there anything for stormwater.
- Ms. Stefanovich said she hasn't seen anything yet but will be following up on such when she finds out more.
- Mr. Mims asked for the funding amount, if I'm correct 2 billion, is that for the State of New Mexico.
- Ms. Stefanovich said no, and she believes it was 1.2 trillion but will see how much is exactly coming to New Mexico and then explained why she came on board due to none of the congressional offices have a grants coordinator and then explained there is a grant coordinator for the DOT and entire delegation including Representative Parnell as well and she can help out more by looking up curtain grants to apply for and send a letter with the application for approval.
- Manager Dr. Moore explained what the 1.2 trillion amount will be going towards and continued with the discussion.
- Ms. Stefanovich asked if we had ever applied for a federal grant in the past.
- Manager Dr. Moore said we have not, but we are very new as a municipality.
- Mr. Mims explained his only experience with federal grants has been when he worked for Los Lunas, this led to a discussion.
- Ms. Stefanovich said unfortunately she can not find out the status of applications but can find out why it didn't get approved. She then went on to say she can advocate for the State.
- Mr. Mims asked when does she see the grants being released.
- Ms. Stefanovich said there are a lot of federal grants, and some are already open, but she will definitely see about a waste water grant.
- Councilor Winters said we have had several programs that are listed in the transportation guidelines that are partly combined with DOT then asked could you combine with DOT for a safety related grant.
- Ms. Stefanovich said we would definitely have that conversation with the State but from my understanding they do cost sharing. She also stated she has seen where they split the cost between state, federal and internal to achieve road projects but advised Council to have a conversation with the DOT on such plans.
- Councilor Gutjahr asked how would we know if the grants are being rolled out.
- Ms. Stefanovich said she will send a list of the agents and said she would be happy to share with us anything relevant. She then restated what our needs are for the grants and listed them off and asked us to elaborate about our stormwater needs.
- Manager Dr. Moore explained about the stormwater plan that was completed last year but would like to see a grant for the future.

- Councilor Winters said we have well over 100 wells in town and we would like to add additional waterlines to different areas.
- Mr. Mims asked Manager Dr. Moore if we needed additional lighting for residents and main roads.
- Manager Dr. Moore said yes, Mr. Mims said he is correct lighting is another concern.
- Ms. Stefanovich asked if we have cost estimates for the stormwater.
- Manager Dr. Moore said yes, we do.
- Councilor Winters said some of the stormwater areas are part DOT, so we would have cooperative with them as well.
- Ms. Stefanovich asked if we were in Representative Herrell' district.
- Councilor Gutjahr said currently yes but with changes of the map no.
- Ms. Stefanovich said it is too late to send a grant for stormwater but in the next cycle would be a great way to follow up.
- Councilor Gutjahr reminded that we are our own City, Belen is next to us, but we are our own even if we share a zip code.

Executive Session - For the purpose of the discussion recruitment of a Fire Chief pursuant to NMSA 10-15-1(H)(2) limited personnel matters.

- **Motion and roll call vote to go into close session**
 - Motion made by Mayor Pro tem Gutjahr with a roll call vote to go into executive session for the purpose of the discussion recruitment of a Fire Chief pursuant to NMSA 10-15-1(H)(2) limited personnel matters. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Gordon, Councilor Winters. With a 3-0 vote Council went into executive session at 10:38 am.
- **Motion and roll call vote to go back into the special business meeting session**
 - Motion made by Mayor Pro tem Gutjahr with a roll call vote to go back into the special business meeting session. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Gordon, Councilor Winters. With a 3-0 vote Council went back into the special business session at 11:11 am
- **Welcome everyone back and statement by the Mayor**
 - Mayor Ramsell stated: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on March 9, 2022 a Closed Executive Session was held and the matters discussed were for the purpose of discussion of the recruitment of a Fire Chief pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters.

Action Items - Consideration & Decision – Mayor Ramsell recommendation regarding the recruitment of a Fire Chief

- Mayor Ramsell recommends was to terminate the fire chief recruitment process.
- Motion made by Mayor Pro tem Gutjahr to terminate the fire chief recruitment process. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Gordon, Councilor Winters. With a 3-0 vote the recruitment of the Fire Chief was terminated.

Adjourn

* Councilor Gutjahr moved to adjourn. The motion was second by Councilor Winters. With a 3-0 vote the City Council special business meeting was adjourned at 11:13 am.

Respectfully submitted,

Elizabeth (Lisa) Adair, Municipal Clerk
(Transcribed by Cheyenne Sullivan, Assistant Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret "Peggy" Gutjahr,
Mayor Pro-tem/Councilor

Arthur "Art" Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jim Winters,
Councilor



City of Rio Communities Council Workshop
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, March 14, 2022 2:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called to order the city council workshop at 2:00 pm.

Attendees

- PRESENT: Mayor Joshua Ramsell, Mayor Pro tem Peggy Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jim Winters.
 Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer/Treasure Stephanie Finch, Accounting Specialist/CPO Angela Valadez, Finance Clerk Renee Adams.

Presentations/Proclamations

Medical Facilities - Presenter MCA-VC

- ❖ Ann Jones started a presentation, she talked about personal stuff such as working for the Medical Care Advocates of Valencia County, her and her husband Mike Jones being on the team, both grow up in NM, she went on explaining how both have went to college for a medical degree, she then continued with discussion about how herself and her husband have seen with their own eyes what it takes to build a hospital and explained the difficulty on proper building for the rooms themselves. She went on by saying there is a small hospital in Belen before we had the mil levy money but knows that they were trying to pass the mil levy to try and give some of the money to the hospital. She then read the wording for the new levy in 2006 which is part of the problem "for a hospital/24-hour emergency health care facility for Valencia County" what makes it hard is the key word HOSPITAL due to the hospital funding act that defines what equals a hospital in the state of New Mexico. Then said it was meant to expand the provision of healthcare in the community and provide the operation and maintenance of the hospital. She stated that the money is about at \$26 million of the course of a 8 year collection plus or minus a little in a crude interest but has stopped after 8 years and no other money has been collected for it. There ended up being lawsuits and legal issues that prevented the hospital for happening. She went on by saying the 1st RFP requested was on April 2019 but 2 things stopped Lovelace, one of them the definition of a hospital as they were hoping to add from an existing hospital and turn it into a satellite unit, hospital funding act didn't like that. 2nd was the county commissioners wanted them to cover the indigent charges for the health care for the prison. When it pulled out, they started another feasibility study due to how old and incomplete the other was. She then said we have received \$50 million from the state along with our \$26 million, but unfortunately neither can be used to purchase land. She then explained that new RFP asked for land to be donated, meaning site ready as for someone would have to have the land construction ready and just hand it over to Valencia County and continued with discussion.
- ❖ She then explained what Site Selection Criteria was and how hard it was to figure out where to place a hospital. She then stated that citizens where wanting input and said they want all types of Medicare/Medicaid to be accepted and a specific organization who does which is called the Center for Medicare and Medicaid Services (CMS) who have rules for quality and safety care.

50% of our county has either one of them and without the CMS there goes half the population. She then went on to talk about DRGs (diagnoses for related groups) which identifies the specific standard treatment where the insurance covers either the most or majority of the treatment.

- ❖ Mrs. Jones then went over the meeting they had Wednesday about the original RFP. During the meeting the top items about the whole issue was on the land, original time line stated once you were picked as the finalist you had 90 days to come up with a piece of land, this changed from 90 days to 9 months, then the insurance discussion was a matter of importance, also a contract with the finance administration for the state, who funding the program, said we have 3 years and 3 months to get the hospital open, she said there was a lot of discussion saying that was not a good time frame so there is a group working to extend the timeline and talk to the state about it, another area is the feasibility study was used as part of their criteria and continued the presentation. She said they recommended they have a local board to this hospital, so the locals have some type of way to let people know if the hospital is keeping up with their needs.
- ❖ Mike Jones - began his presentation on the factsheet which is on the financial challenges on rural and small hospitals and said go visit the website to the American Hospital Association to get more information.
- ❖ Councilor Apodaca asked about the process to acquire land.
- ❖ Mrs. Jones said she said she has heard both Belen and Rio Communities talk about donating land for the hospital and that how it can be acquired.
- ❖ Councilor Apodaca asked if the County Commissioners have a weigh in such as site selection.
- ❖ Mrs. Jones said that they do not have any clause listed that they can weigh in, but nothing says they cannot talk to potential offers.
- ❖ Councilor Winters asked how many years has this been going on.
- ❖ Mrs. Jones said the mil levy started in 2006.
- ❖ Resident asked so the \$26 million was for maintenance and operation, which time is that used up as in a clause within the agreement.
- ❖ Mrs. Jones said there is a timeline of 8 years to distribute the funds.
- ❖ Councilor Gutjahr said further that Socorro has been off and on in the red it cannot consistently make it due to expenses, the other there has been a lot of discussion throughout the State that so many rural hospitals have closed due to cost which goes back to the DRGs and its expensive.

Strategic Priorities for the City

- Manager Dr. Moore said he has a year under his belt and then began a discussion on the hi-level priorities starting with, 1st) public safety, 2nd) revenue, annexation and property value assessment and franchise revenue, 3rd) infrastructure, light streets, water, sewer and street signage, 4th) business recruitment, quality of life, attracting jobs, 5th) City business, ordinance cleanups, departments and programs and completion of internal priorities. He restated the plan and stated these are a suggestion to the Council and wanted to see if they would like to add anything.
- Councilor Winters said this is the big buckets, then asked one is housing under business development because we really need more housing here.
- Manager Dr. Moore said this could be in both infrastructure and business recruitment.
- Councilor Winters said these are once they agree on then they should become cornerstone of our comprehensive plan update.
- Manager Dr. Moore said it would be a recommendation, but there are other things as well but are recognizing what we need to deal with as a city.

- Councilor Apodaca asked what comes 1st the card or the house, metaphorically speaking, since I've been here seems like everyone wants rooftops but without businesses no one wants to be part of the community. He then said it's a challenge trying to bring both when the community is asking for both.
- Councilor Gutjahr said she liked the idea that it housed many areas, and this goes back to the comprehensive plan and how it should be highlighted and tracked so 6 months to 1 year later we can see the progress.

Budget 101 discussion

Please see packet for PowerPoint.

- Finance Officer Finch went over budget 101 and started to give Council and breakdown of everything such as; Unrestricted and Restricted funds, 11000 General Funds (Unrestricted); 20100 Corrections Fund (Restricted); 20200 Environmental Gross Receipts Tax (Restricted); 20600 Emergency Medical Services (Restricted); 20900 Fire Protection Fund (Restricted); 2100 Law Enforcement Protection Fund (Restricted); 21600 Municipal Street Fund (Restricted); 26000 American Recovery Plan Act Fund (Restricted); 29500 Bill Brown Memorial Fund (Restricted); 29600 Fire Excise GRT Fund (Restricted); 29700 EMS GRT Fund (Restricted); 29800 Wildland Fire Fund (Restricted); 30300 State Legislative Appropriation Fund (Restricted); 30400 Road/Street Projects Fund (Restricted); 39000 Capital Projects Funds (Restricted); 40400 NMFA Loan Debt Services (Restricted).
- Councilor Gutjahr asked if we know how much many is in the Corrections Fund.
- Finance Officer Finch said I believe \$90 a day, so for example our judge set out a warrant and the person gets picked up then we would be paying for that person, she then continued the presentation.
- Councilor Gordon said with the law enforcement protection fund, since it has gone up to \$45k will Valenica County still pay for the whole ordeal.
- Finance Officer Finch stated that our contract is for \$150k so the \$45k will be coming out of this initial fund and then the rest will come out of the general fund and continued the discussion.
- Councilor Apodaca asked if all the funds are city managed.
- Finance Officer Finch said all the funds are reported to the finance department, but we do ask for reimbursement from the state, so we would send a notice and documentation on what we need the funds for then we wait for an approval and then we move forward with the projects.
- Councilor Gutjahr gave clarification going back to notice of obligation we are putting our own money into the beginning.
- Finance Officer Finch said we will not budget unless we have a signed grant agreement and continued the discussion.
- Councilor Winters asked if we can make this available to the public.
- Finance Officer Finch said yes she can make this available and continued with the discussion.

Revenue discussion

Please see packet for PowerPoint

- Manager Dr. Moore began a discussion on the revenue from 2020-2021 and explained the revenue has been doing very good, he then said he and the finance officer can view the specific 455 report and see the data as it comes in and continued with the presentation/discussion.

- Councilor Gutjahr asked if a business is, for example electrician comes to my house, so the GRT would go to the City.
- Mayor Ramsell said as long as they have the proper information with the business licenses.
- Manager Dr. Moore said based on the 455 we do not know how many are not, but we do know how many that are and continued the discussion.
- Councilor Gutjahr said she knows of 2 business that did not have the information and were very unaware of this, she then said we need to somehow get the information out to people.
- Finance Officer Finch said what she is aware of is people are not educated of the process.
- Councilor Winters said we have a mechanism to work at the home-based business, perhaps when we have code enforcement, they can put tags on the vehicles or something.
- Councilor Apodaca said he is surprised that the State hasn't outlines all the policies and procedures.
- Councilor Winters said this is something to bring up to our legislatures.
- Manager Dr. Moore continued with the discussion and started the GRT breakdown by type as shown.
- Councilor Gutjahr said she believes we are tied with Peralta.
- Manager Dr. Moore continued with the presentation on property tax rates and didn't have the community vote on property tax so the taxes for this year are the same as last year.
- Finance Officer Finch explained the increase of property tax due to the residential/non-residential tax being 2.75 we can raise it up but no more than 4.9 due to our taxes only being 7.65.
- Mayor Ramsell asked can we go above that amount if we go to the voters.
- Finance Officer Finch said no because you also have the state amongst other things getting some of the taxes as well and continued with the breakdown.
- Municipal Clerk Adair asked for the breakdown on GRT.
- Finance Officer further explained the breakdown on GRT as the same for property tax, you're only putting a portion on taxes towards the city and the rest is going to other things.
- Councilor Winters said who does the evaluations.
- Finance Officer Finch said she got this from the State Department of Finance and Administration and continued with the discussion on doing a yearly estimate revenue if we had raised the mil levy from .25 to .50 to .75 to 1.00 if Council had chosen that route.
- Councilor Gutjahr said if you increased to \$50 more a year and all we get from them is 300 to 350 and people do not understand we only get a small amount.
- Councilor Winters said we choose to not mess with mil levy due to homeowner pays 100% of it and to choose the gross receipt tax is better mainly by the people who travel.
- Manager Dr. Moore said with this presentation he hopes it is helpful and when budget comes up, he will be talking about the specifics for this year.

Accounts payable report

- Finance Officer Finch went over the accounts payable anything over \$500; GSD in the amount of \$4,405.79; NM Gas in the amount of \$1,806.60; SJT Group in the amount of \$6,984.91; Animal Control in the amount of \$1,654.50; Ralph T. Barnes in the amount of \$720.00; 2 accounts for Boundtree Medical in the amount of \$1,204.72; Amazon in the amount of \$595.98; NM Gas in the amount of \$1,312.57; Target Solutions in the amount of \$1,485.00; Ortega and Sons in the amount of \$511.50; 2 accounts for UniqueFleet in the amount of \$7,473.89, Artesia

Fire Equipment in the amount of \$2,624.00; PNM in the amount of \$956.88; WEX Bank in the amount of \$1,492.60; Amazon in the amount of \$1,499.98; eSchedule in the amount of \$2,268.00; 2 accounts for UNM EMS Academy in the amount of \$1,950; Verizon in the amount of \$2,302.58; Oriental Trading in the amount of \$610.35; Amazon in the amount of \$2,354.85; Quill in the amount of \$871.99; J & B Automotive in the amount of \$14,909.00.

Resolution 2022 - NMDOT Co-op Agreement/application

- Manager Dr. Moore began a discussion on the cooperative agreement program and started by saying he is looking at the area of Don Diego St. and with all the cracks, potholes and alligating and knows the cost is not to exceed \$370,329.49 which includes the 25% contingency in the grocery receipt tax rate. He explained with prices going up they were informed to ask for a little more which is a 25% cost match which as a city we are looking at about \$93k. He further explained with this year's revenue we are projecting \$300k so we are hoping to do better and utilize one-time funds for one-time capital projects.
- Councilor Winter asked what portion of the road does it include.
- Mayor Ramsell said its from Dulcinea Ln. to Guapo Rd. and as much as we would like to replace the whole road this needs it more.

Resolution 2022 - NMDOT Municipal Arterial Program (MAP)

- Manager Dr. Moore began a discussion on the MAP grant (Municipal Arterial Program) which ties to federal highway funds that are funneled though the state of NM. He further explained this fund is more for the roads that are connected to 2 or more state highways. The roads in question are Horner which turns into Hillandale and then connects to HWY 304. He said talking to HDR fixing these roads will look good when it comes to the State Department of Transportation.
- Councilor Winters said this puts us in great shape with the federal funds.
- Manager Dr. Moore continued with the discussion and informed the Council the further along on our planning then the better position we are against competition from different communities in the state.

Expenditure of Bill Brown Memorial Funds

- Manager Dr. Moore began a discussion on the expenditure and stated there is about \$338k and looking at prices as well as estimated prices for bobcats and attachments which comes out to \$95k which will be our first multi-use equipment. He asked if out of the \$338k if \$150k can be for public works the remainder for parks and trails. He further said we would like equipment and will be immediate beneficial out in the community.
- Councilor Gutjahr said whatever we do we need to prioritize Bill Brown like in the parks, be it a bench or the park itself.
- Councilor Apodaca said maybe using more of the money for the parks for a memorial for Bill Brown in his honor.
- Manager Dr. Moore explained that we have appropriations, so we have a good amount going towards the parks.
- Finance Officer Finch said his wishes were to go to public works and parks, so we have to use the money towards both and not just to one and continued the discussion.
- Councilor Winters said he sat in a lot of meetings where public works is his number one project.

- Mayor Ramsell said if you would include the amount \$188k plus the \$390k and \$250k that's just shy of \$830k for parks, we are very fortunate we received the donation and receiving capital outlay money as well it helps long-term, this continued the discussion.

Selling of City equipment

- Manager Dr. Moore said we have 4 vehicles to put up to Council. The Fire Department has an old tanker truck, and a Dodge Durango which was a command vehicle, they have been sitting in the parking lot and addition the Chevy Tahoe that Mr. Reeves has been driving has significant mechanical issues and the Crown Victoria which all have high in years and miles, our recommendations for all 4 vehicles to be put up.
- Mayor Ramsell said when we talked about purchasing, and talked about leasing, the finance department has been trying to find one but due to the shortage the dealers said the trucks may not be in factory production until late 2023.
- Councilor Gordon said can we get something from the government surplus which means we can get something fairly new but cheap prices.
- Manager Dr. Moore said we do keep an eye on the government surplus.
- Councilor Apodaca said who would be interested on the tanker truck, is that still a truck that has usefulness to it.
- Manager Dr. Moore said most likely an estimate to repair the engine is close to \$40k but someone from a smaller municipalities.
- Finance Officer Finch said they are going to try the blue book value and putting minimum bid of the Kelly blue book on a website called Govdeals.com and further explained the process.

Authorization to hire an Emergency Medical Service Coordinator for the City of Rio Communities Fire Department

Please see packet for description

- Manager Dr. Moore said in discussion we are suspending the needs of recruitment of the fire chief but looking at our emergency medical service funds we might have an opportunity here. He further said we have had EMS calls, we have had 70 responded to all but 2. They are doing a great job but coming into the summer season we are lacking a mentor of the fire department. He explained the money will be coming out of the EMT GRT fund and gives the city more opportunities for grant funds and continued with the discussion.

Salary Wage Range & Job Description of the Emergency Medical Service Coordinator

- Manager Dr. Moore said we are looking at the wage range at 18-22 an hour and talking to other paramedics and personal this was a good amount to start with and continued with the discussion. He further explained that with concerns continuing to come up about a contracted ambulance service has the fire departments very concerned.
- Councilor Gutjahr said she thinks this is the way to go but making sure the person comes and fits in we must make sure the volunteers understand since we do not have 24/7 fire department. She then asked would this coordinator respond to the fire chief.
- Manager Dr. Moore explained the stance would be the EMS captain would report to the Fire Chief and then said the inquires he has received they have served with the volunteer fire departments.

- Councilor Apodaca said his understanding is we are tabling the fire chief and concentrate on the EMS coordinator instead, then asked if this salary would be paid from what would have been the fire chiefs' salary or is it separate.
- Manager Dr. Moore said no its completely different this will be coming out of the EMS GRT fund.
- Councilor Winters said would it be possible to get calls monitored with additional steps to measure the problems as in if its repeated calls from one source.
- Manager Dr. Moore said he thinks this person would be able to get more of a complete data then what we are getting right now and continued the discussion.
- Councilor Gutjahr said it would be beneficial and talking to other EMTs and an AMR driver the data would be substantial and maybe come back to this later on.
- Mayor Ramsell said talking with City Manager and thinking about eventually hiring a 3rd EMT that can ride with the EMT Coordinator so we can have more coverage. He also said we might not be 24/7 but more time during the week and possibly having 5 to 6 PRN (on call) positions where we have more help.
- Manager Dr. Moore stated that in the beginning of the meeting they had heard a few volunteers are going for basic training and encouraging the firefighters to do the same as well.

Public Comment

- No public comments.

Manager Report

Update on NM 47/Rio Communities Blvd streetlights

- Manager Dr. Moore explained that we had over a 1/2 mile of wiring stolen but do have the aluminum and are waiting on an electrician as well as a contracting service to help. He then proceeded to further explain how the project will be done.

Update on City Cleanup

- Manager Dr. Moore said we are coming up for the city cleanup coming up this Saturday and then said for the community cleanup we will be looking at the end of April due to spring breaks and such. He then said Highway 304 will be the first road we start with

Discussion to retain Grant writing services

- Manager Dr. Moore said the State has come up with a multi page of grants from the legislator and gave a heads up he would like to comeback with a proposal to get a couple of a grant writing contract to assist us in applying for these grants.

Council Discussion & Future Agenda Items

- Councilor Apodaca said has a couple of comments from residents. There is a concern about the fence put around the vacant lot south of the fire station, which they were just vocalizing their dislike and it being just a chain-link fence. The other comment was the zoning issue the restaurant now a thrift store asking about the zoning laws on such business.
- Councilor Gutjahr said she is in contact with Senator Heinrich's office regarding the zip code and they have a call out to Arizona possible meeting or phone call to look at our next option's.
- Councilor Gordon had no comments.
- Councilor Winters had no comments.
- Mayor Ramsell said Dr. Moore will be bring information soon on a 501c3 organization for a possible economic development corporation.

Adjourn

- The City Council Workshop was adjourned at 4:48 pm.

Respectfully submitted,

Elizabeth (Lisa) Adair, Municipal Clerk
(Transcribed by Cheyenne Sullivan, Assistant Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, March 14, 2022 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called to order the Regular Business Meeting at 6:00 pm.

Pledge of Allegiance

- Councilor Gordon led the Pledge of Allegiance.

Roll Call

- PRESENT: Mayor Joshua Ramsell, Mayor Pro tem Peggy Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, and Councilor Jim Winters.
 Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch, Accounting Specialist Angela Valadez, Judge Noelle Chavez, and Valencia News-Bulletin Editor Clara Garcia.

Approval of Agenda

- Motion made by Councilor Winters to approve the agenda as written. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the agenda for the regular business meeting was approved as presented.

Approval of Minutes for the City Council Workshop & Regular Business Meeting (2/28/2022)

- Motion made by Mayor Pro tem Gutjahr to approve the Council workshop and regular business meeting minutes of February 29th, 2022. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the minutes for the workshop and regular business meeting of February 28, 2022 were approved as written.

Swearing in of Melanie Good (Planning and Zoning Commissioner)

- Melodie Good took the Oath of Office to be a member of the Planning and Zoning Commission. the oath was administered by Judge Noelle Chavez.

Public Comments

- Mr. Dick Irvin expressed his comments about HWY 304 and Western Dr. there's a lot of speeding and the clean up on, 605 Western Dr. which is a vacant lot which is next to his house, also he has been noticing people riding up and down the roads looking at houses.

Manager Report

Update on NM 47/Rio Communities Blvd streetlights

- Manager Dr. Moore started off by saying the HWY 47 lights are still in progress and that he has gotten the aluminum wiring for the light poles, they got several contractors to start moving things along.

Update on City Cleanup

- Manager Dr. Moore said we are continuing to move forward with trash day, and it is this Saturday at 8am but people start lining up as early as 7-7:30 am.
- Manager Dr. Moore then said he the County is asking all municipalities to buy into and approve the multi-hazard emergency litigation plan and we will be getting a copy to give to Council either on the 21st or 28th.

Municipal Court Department

- Court Clerk Adair said for the month of February: 8 violations were filed. The amounts collected were \$20 Court fines, \$6 automation, \$3 Judicial Education \$36 fee giving a total collected of \$65.

Presentation: by the SJT Group FY 2021 Financial Audit

- Mr. Jeramiah Armijo gave the audit report and began his presentation.
- Mr. Armijo explained what the manager and auditor are responsible for such as, the manager is responsible for Accounting Policies, Internal Controls, Accounting Systems, Significant Estimates, Management Representation Letter and the auditor was responsible for, providing an opinion about whether the financial statements are materially correct, Reasonable, but not absolute, assurance that the financial statements are materially correct, Understanding of internal controls sufficient to plan the audit; evaluation of control design; and verification of implementation of key controls.
- Mr. Armijo went over the compliance findings such as, perform tests of compliance related to various State Statutes and requirements including: Procurement code (chapter 13 NMSA 1978), Travel and per diem (chapter 10-8 NMSA 1978), State Audit Rule (2.2.2 NMAC).
- Mr. Armijo said we have an unmodified (clean) opinion on the financial statements which is the best opinion we can receive and states the numbers are financially correct. He went on and stated there are no internal controls: such as no material weaknesses identified, and no significant deficiencies reported.
- Mr. Armijo went further into the presentation and stated the financial performance of the City from last year and everything that had resolved such as: Travel and Per Diem Act-City Manager travel RESOLVED, Fringe Benefits-use of city vehicle RESOLVED, Procurement-Several purchases did not comply with City's policies and procedures for procurement RESOLVED, Anti-Donation Clause- Purchase from eBay from fencing in the amount of \$537 never received from vendor RESOLVED, and Lack of Supporting Documentation- Several credit card expenditures did not have supporting invoices or receipts RESOLVED.
- Mr. Armijo went over the next position which was focused on capital assets. He went on by stating it had increased to \$8.7 million since last years \$8.1 million but its due to the investment in capital outlay and was mainly due to the purchases of the vehicles for the city.
- Mr. Armijo explained the current revenue such as Operating Grants and Contributions, Capital Grants and Contributions, Gross Receipt Tax, Property Tax, Franchise Tax, State Shared Tax, and Other.
- Mr. Armijo went over the expenditures as in: General Government, Public Safety, Public Works, and Interest.
- Mr. Armijo said he was ready for questions or comments.
- Councilor Apodaca said it was very interesting and very good news.
- Councilor Gutjahr said thank you to Mr. Armijo and told him he has a great way of explaining things and she went on to thank the staff for everything and she knows it takes a lot of time and effort and leadership from Dr. Moore but thank you.

- Councilor Gordon also thanked Mr. Armijo and told him he showed the confidence they have in the financial staff is well deserved.
- Councilor Winters said he would like to thank Mr. Armijo as well and he finds it interesting how the financial situation being where it is means we can do things for the public and we appreciate it.
- Mayor Ramsell said thank you Mr. Armijo we appreciate all the work your team has done and with past audits and staff turned things around so thank you very very much finance department this speaks volumes on what you guys do from day in and day out.
- Finance Officer Finch said its not just the finance department it's all the staff from the clerk's office to public works and to the city manager.
- Manager Dr. Moore said he needs to compliment all staff, but also needs to say thank you to City Council for giving us trust for doing these jobs.

Acceptance of the FY 2021 Financial Audit

- Motion made by Mayor Pro tem Gutjahr to accept and approve the Financial Audit for 2021. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the Financial Audit for the Fiscal year 2021.

Approval of Accounts Payable

- Councilor Gutjahr said there was no comments and she thought she had everything answered at the workshop.
- Councilor Winters said the gas bill is about where it was last month which is a good thing.
- Councilor Apodaca said maybe because of the price increase that we went down this month.
- Mayor Ramsell said he was only going to mention the fuel cost of the fire department, but as we have all seen the prices haven't gone down.
- Motion made by Councilor Winters to approve the accounts payable as published. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the accounts payable was approved for payment.

Resolution 2022 - NMDOT Cooperative Agreement/application

- Manager Dr. Moore explained we are looking at Don Diego Road to do co-op work with this particular grant due to how bad the road is. He then said with this grant we can either replace the whole road or patch it but due to the amount of cracks replacement is what we are shooting for.
- Mayor Ramsell said the work specifics will be from Guapo Rd. to Dulcinea Ln.
- Councilor Winters said there is very little speeding on that section of road.
- Motion made by Mayor Pro tem Gutjahr to approve Resolution 2022-04 NMDOT Cooperative Agreement/application as described. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022-04 NMDOT Cooperative Agreement/application was passed, approved, adopted, and signed.

Resolution 2022 - NMDOT Municipal Arterial Program

- Manager Dr. Moore went over the MAP (municipal arterial project) this project starts at Horner St. and will go towards Hillandale Ave. and from Hillandale Ave. to Manzano Expy. Step one is a design grant, and we are asking \$370,000 in total project costs. We have gone over the budget, and we have a 25% match with funds in hand.
- Councilor Winters said this puts us in an outstanding position to be able to apply for additional grants from the transportation department.
- Manager Dr. Moore said we are looking into about a mile and a half of road.
- Councilor Gutjahr said as long as she can remember we have been talking about this arterial road, and this is a great entry way for future grants.
- Motion made by Mayor Pro tem Gutjahr to approve Resolution 2022-05 NMDOT Municipal Arterial Program. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 05 NMDOT Municipal Arterial Program was passed, approved, adopted, and signed.

Expenditure of Bill Brown Memorial Funds

- Manager Dr. Moore stated our great appreciation to Councilor Brown, he had several areas he cared about the most were public works and the parks, and we are letting Council and the public know that Councilor Brown's wishes are being followed. Then said out of the \$330k we recommend \$150k to go to the public works side for equipment such as a bobcat with attachments and the remainder for parks which he really cared about as well.
- Councilor Gutjahr said there was a conversation on the importance of having something permanent in honor of Bill Brown, with our conversation we were talking about how we have legislator appropriations going towards parks and with the remainder of the money we will have over \$800k.
- Councilor Winters said that is a wise distribution because more than \$800k in parks may not be used wisely.
- Motion made by Councilor Apodaca to move forward with the expenditure of Bill Brown Memorial Funds. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the expenditure of Bill Brown Memorial Funds as stated by Dr. Moore has been approved.

Selling of City equipment

- Manager Dr. Moore said we have 4 specific pieces of equipment that we would like your approval on such as, an old tanker truck, a Dodge Dakota, a Chevy Tahoe and a Crown Vic that need to be retired. He said we are asking Council for permission to move forward with the proper disposal through auction with the vehicles.
- Motion made by Councilor Gordon to approve the selling of the City vehicles. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the selling of the Fire department old tanker truck and Dodge Dakota, the public works directors Chevy Tahoe and the code enforcement vehicle Crown Victoria.

Authorization to hire an Emergency Medical Service Coordinator for the City of Rio Communities Fire Department

- Manager Dr. Moore said we have been tracking the data trends and continue to be extremely high as in January 84.4% and February mid-80% of all calls were for emergency medical services. The challenge we are having is responding to the high call volumes. He also stated that he has been looking in the EMT GRT funds and there is enough room to hire an Emergency Medical Service Coordinator. They would report to the fire chief but can come to the city manager as well, we are looking for an individual who is Paramedic trained, also looking for individuals with at least an associates degree on emergency medical training. He then recommended Council on the approval and authorization of the emergency medical service coordinator.
- Councilor Gutjahr said we had a polite conversation and how it will help the public and is a great way to go and needed something like this as well.
- Mayor Ramsell said this is a step in the right direction, having a 3rd EMT can help mentor our current EMTs and potentially having some PR's pair up with drivers and have more EMTs which will give us a little more coverage down the road.
- Motion made by Councilor Apodaca to approve authorization to hire an Emergency Medical Service Coordinator for the City of Rio Communities Fire Department. Seconded by Mayor Pro tem Gutjahr. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Authorization to hire an Emergency Medical Service Coordinator for the City of Rio Communities Fire Department.

Salary Wage Range & Job Description of the Emergency Medical Service Coordinator

- Manager Dr. Moore explained we presented a job description for the Emergency Medical Service Coordinator in your packets. This requires them to be a field working person, also they will be helping with grants and dealing with paperwork. We are recommending a wage range of \$18-\$22 per hour. He then stated this is an EMS GRT funded position and not a general funded position.
- Motion made by Councilor Winters to approve the Salary Wage Range and Job Description of the Emergency Medical Service Coordinator. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Salary Wage Range and Job Description of the Emergency Medical Service Coordinator has been approved.

Appointment/Re-appointment of P&Z member(s)

- Mayor Ramsell recommends the re-appointment of current chair Mr. Tom Scroggins.
- Motion made by Mayor Pro tem Gutjahr to approve the re-appointment of Tom Scroggins as a member of P&Z. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the reappointment of Thomas Scroggins to the Planning and Zoning Commission.

Council Discussion

- Councilor Apodaca had nothing to report.
- Councilor Gutjahr said just as we stated at the workshop, she has been working with Senator Heinrich's office regarding a separate zip code.
- Councilor Gordon had no comments.

- Councilor Winters had no comments.
- Mayor Ramsell said Dr. Moore will be bringing information on a 501c6 type of organization since we are talking about economic development priorities.
- Mr. Irvin asked if we could have a City Market and have an area where we can establish a fee for a booth but I'm not sure if you can do this.

Executive Session - For the purpose of contract negotiations for the City Manager pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters 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 made by Mayor Pro tem Gutjahr with a roll call vote to go into executive session for the purpose of contract negotiations for the City Manager pursuant to NMSA 10-15-1(H)(2) – limited personnel matters 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). Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into executive session at 7:28 pm.
- **Motion and roll call vote to go back into the regular business meeting session**
 - Motion made by Councilor Gordon with a roll call vote to go back into the regular business meeting session. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council was back into the regular business meeting session at 8:32 pm.
- **Welcome everyone back and statement by the Mayor**
 - Mayor Ramsell welcomed back the public and then stated: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on March 14, 2022 a Closed Executive Session was held and the matters discussed the contract negotiations for the City Manager and for the discussion of the purchase, addition or disposal of real property or water rights by the public body as posted on the agenda

Action Items - Consideration & Decision – Mayor recommendation regarding the contract negotiations for the City Manager and for the discussion of the purchase, addition or disposal of real property or water rights by the public body

- Mayor Ramsell said recommendation on renewing Dr. Moore's contract for a second year and add a \$300 housing cost into his salary and add an additional 6.25% increase in salary.
- Motion made by Councilor Winters to accept the recommendation of the Mayor. Seconded by Mayor Pro tem Gutjahr. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved a 6.25% increase to the City Manager annual pay and continue the \$300 a month.
- Councilor Gutjahr said to Manager Dr. Moore before we end, I want everyone to know you are doing an outstanding job.
- Councilor Apodaca said it is our Mayors birthday.
- Council all said happy birthday Mayor Ramsell.

Adjourn

- Councilor Apodaca moved to adjourn. The motion was second by Councilor Gutjahr. With a 4-vote the City Council regular business meeting was adjourned at 3:35 pm.

Respectfully submitted,

Elizabeth F. Adair, Municipal Clerk
(Transcribed by Cheyenne Sullivan, Assistant Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor

**STATE OF NEW MEXICO
CITY OF RIO COMMUNITIES
RESOLUTION 2022 – (06)**

- WHEREAS,** the City of Rio Communities recognizes the threat that natural hazards pose to the residents and their property that live within the the City of Rio Communities; and
- WHEREAS,** the County of Valencia has prepared a multi-hazard mitigation plan, hereby known as the Valencia County Multi-Jurisdictional Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and
- WHEREAS,** the County of Valencia Muti-Jurisdictional Hazard Mitigation Plan dated September 17, 2021, identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property within the Town of Peralta from the impacts of future hazards and disasters; and
- WHEREAS,** adoption by the Governing Body for the City of Rio Communities demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the Valencia County Multi-Jurisdictional Hazard Mitigation Plan dated September 17, 2021.

NOW THEREFORE, BE IT RESOLVED, that the Governing Body for the City of Rio Communities does hereby Accept, Adopts and Approves the Valencia County Multi-Jurisdictional Hazard Mitigation Plan dated September 17, 2021

PASSED, APPROVED AND ADOPTED THIS 28th DAY OF MARCH 2022 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

City of Rio Communities Governing Body

Joshua Ramsell, Mayor

Margaret R. Gutjahr, Mayor Pro-tem

Arthur Apodaca, Councilor

Lawrence R. Gordon, Councilor

Jimmie Winters, Councilor

ATTEST:

Elizabeth F. Adair, Municipal Clerk

U.S. Department of Homeland Security
FEMA Region 6
800 N. Loop 288
Denton, TX 76209



FEMA

February 7, 2022

Chelsea Morganti, State Hazard Mitigation Officer
New Mexico DHS and Emergency Management, Preparedness Bureau
Office of Emergency Management
P.O. Box 27111
Santa Fe, NM 87502-1628

RE: Approvable Pending Adoption of the Valencia County, New Mexico Multi-Jurisdiction Hazard Mitigation Plan
Funding Source: PDM; PDMC-PL-06-NM-2018-0005

Dear Ms. Morganti:

This office has concluded its review of the referenced plan, in conformance with the Final Rule on Mitigation Planning (44 CFR § 201.6). Formal approval of this plan is contingent upon the adoption by the participants on Enclosure A, as well as the receipt of the final draft of the plan containing all plan components.

Adopting resolutions must be submitted to this agency for review and approval no later than one year from the date of this letter. Failure to submit these resolutions in a timely manner could lead to a required update of the plan prior to FEMA approval.

Once this final requirement has been met, a letter of official approval will be generated. The Local Hazard Mitigation Planning Tool, with the reviewer's comments has been enclosed to further assist the jurisdictions in complying with planning requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald C. Wanhanen".

Ronald C. Wanhanen
Chief, Risk Analysis Branch

Enclosure

cc: Marty Chester, R6-MT-HM

Enclosure A

Attached is the list of participating local governments included in the February 7, 2022 review of the referenced Hazard Mitigation plan.

Community Name

- | |
|---|
| 1) Belen city |
| 2) Bosque Farms village |
| 3) Los Lunas village |
| 4) Middle Rio Grande Conservancy District |
| 5) Peralta town |
| 6) Valencia County |
| 7) Rio Communities |

Adoption Submittal (Final)

Following the issuance this of Approvable Pending Adoption letter, all participants are provided one year to adopt the plan and submit it through the State to FEMA. For multi-jurisdictional plans, multiple adoptions should be submitted as a complete package as outlined below.

The State must submit the plan files via:

Floodmaps File eXchange (FFX): <https://www.floodmaps.fema.gov/ffx/>

Risk Management Directorate (RMD) SharePoint:

<https://rmd.msc.fema.gov/Regions/VI/Mitigation%20Planning/Forms/AllItems.aspx>

Note: You will be requested to register if you have not already done so.

All plans containing Protected Critical Infrastructure Information (PCII) must be submitted through the Floodmaps File Exchange (FFX) to ensure secure file submissions.

1. Final draft of the plan in MS Word or pdf format containing:
 - a. The final plan formatted as a single document.
 - b. Documentation demonstrating adoption by the participating jurisdictions seeking approval. (i.e. copies of signed resolutions, official meeting minutes, etc....) Note: Adoption resolutions can be separate files. Additional adoptions are not required to provide a copy of the plan.
 - c. Remove strikethroughs, highlights and all Track Changes must be accepted in the final plan.

2. Send an email addressed to r6-mtd-planning@fema.dhs.gov as notification that the electronic file has been submitted. Please DO NOT send plans to the email inbox as it has very strict size limitations which will lock the inbox and not allow additional emails to be received. The email must include the following information:
 - a. Include the follow when applicable: (Note: A submittal letter is no longer required.)
 - i. Subject line [Approval Review for Name of Plan, State]
 - ii. FEMA funding source, grant or disaster number, and project number (when applicable)
 - iii. list of adopting jurisdictions
 - iv. Plan File name (file name must include date submitted)

3. Submittals which do not conform to the above requirements will be returned to the State for resubmission

LOCAL MITIGATION PLAN REVIEW TOOL

The *Local Mitigation Plan Review Tool* demonstrates how the Local Mitigation Plan meets the regulation in 44 CFR §201.6 and offers States and FEMA Mitigation Planners an opportunity to provide feedback to the community.

- The [Regulation Checklist](#) provides a summary of FEMA's evaluation of whether the Plan has addressed all requirements.
- The [Plan Assessment](#) identifies the plan's strengths as well as documents areas for future improvement.
- The [Multi-jurisdiction Summary Sheet](#) is an optional worksheet that can be used to document how each jurisdiction met the requirements of each Element of the Plan (Planning Process; Hazard Identification and Risk Assessment; Mitigation Strategy; Plan Review, Evaluation, and Implementation; and Plan Adoption).

The FEMA Mitigation Planner must reference this *Local Mitigation Plan Review Guide* when completing the *Local Mitigation Plan Review Tool*.

Jurisdiction: Valencia County Multi-Jurisdictional	Title of Plan: Valencia County Hazard Mitigation Plan	Date of Plan: September 17, 2021
Local Point of Contact: Sarah Gillen-Valencia County	Address: 444 Luna Avenue Los Luna, NM 87301	
Title: Emergency Manager		
Agency: Office of Emergency Management		
Phone Number: 505-866-2043	E-Mail: sarah.gillen@co.valencia.nm.us	

State Reviewer: W. Scott Field	Title: Senior Emergency Management Specialist	Date: 1/20/2022
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FEMA Reviewer: Matt Embry Shanene Thomas	Title: Emergency Management Specialist Community Planner	Date: 1/24/2022 2/1/2022
Date Received in FEMA Region 6	January 20, 2022	
Plan Not Approved		
Plan Approvable Pending Adoption	February 7, 2022	
Plan Approved		

LOCAL MITIGATION PLAN REVIEW TOOL

SECTION 1:

REGULATION CHECKLIST

INSTRUCTIONS: The Regulation Checklist must be completed by FEMA. The purpose of the Checklist is to identify the location of relevant or applicable content in the Plan by Element/sub-element and to determine if each requirement has been 'Met' or 'Not Met.' The 'Required Revisions' summary at the bottom of each Element must be completed by FEMA to provide a clear explanation of the revisions that are required for plan approval. Required revisions must be explained for each plan sub-element that is 'Not Met.' Sub-elements should be referenced in each summary by using the appropriate numbers (A1, B3, etc.), where applicable. Requirements for each Element and sub-element are described in detail in this *Plan Review Guide* in Section 4, Regulation Checklist.

1. REGULATION CHECKLIST Regulation (44 CFR 201.6 Local Mitigation Plans)	Location in Plan (section and/or page number)	Met	Not Met
<u>ELEMENT A. PLANNING PROCESS</u>			
A1. Does the Plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? (Requirement §201.6(c)(1))	Pgs. 6-9; 10- 14 (Table 2.1); 123-139; 143-145; 166- 181; 282-300	X	
A2. Does the Plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process? (Requirement §201.6(b)(2))	Pgs. 15-17; 48; 72-73; 78; 86; 94; 97; 109; 116; 290-300	X	
A3. Does the Plan document how the public was involved in the planning process during the drafting stage? (Requirement §201.6(b)(1))	Pgs. 15-17; 290-300; Appendix D & E	X	
A4. Does the Plan describe the review and incorporation of existing plans, studies, reports, and technical information? (Requirement §201.6(b)(3))	Pgs. 8-9; 123-139; 143-145; 166-170	X	
A5. Is there discussion of how the community(ies) will continue public participation in the plan maintenance process? (Requirement §201.6(c)(4)(iii))	Pgs. 169-170	X	
A6. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)? (Requirement §201.6(c)(4)(i))	Pgs. 166-170	X	
<u>ELEMENT A: REQUIRED REVISIONS</u>			

LOCAL MITIGATION PLAN REVIEW TOOL

1. REGULATION CHECKLIST Regulation (44 CFR 201.6 Local Mitigation Plans)		Location in Plan (section and/or page number)	Met	Not Met
<u>ELEMENT B. HAZARD IDENTIFICATION AND RISK ASSESSMENT</u>				
B1. Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)? (Requirement §201.6(c)(2)(i))		Pgs. 18-26; 27-33; 35-39; 48-50; 54-61; 73-75; 78-80; 86-91; 94-95; 98-105; 109-110	X	
B2. Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction? (Requirement §201.6(c)(2)(i))		Pgs. 40-47; 50-53; 61-72; 76-77; 80-84; 91-92; 95-96; 106-107; 114-115	X	
B3. Is there a description of each identified hazard's impact on the community as well as an overall summary of the community's vulnerability for each jurisdiction? (Requirement §201.6(c)(2)(ii))		Pgs. 47-48; 54; 72-73; 77-78; 85-86; 92-94; 96-97; 107-109; 115-117	X	
B4. Does the Plan address NFIP insured structures within the jurisdiction that have been repetitively damaged by floods? (Requirement §201.6(c)(2)(ii))		Pgs. 107	X	
<u>ELEMENT B: REQUIRED REVISIONS</u>				

LOCAL MITIGATION PLAN REVIEW TOOL

1. REGULATION CHECKLIST Regulation (44 CFR 201.6 Local Mitigation Plans)	Location in Plan (section and/or page number)	Met	Not Met
<u>ELEMENT C. MITIGATION STRATEGY</u>			
C1. Does the plan document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs? (Requirement §201.6(c)(3))	Pgs. 123-139 (6.4.1 addresses expansion)	X	
C2. Does the Plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate? (Requirement §201.6(c)(3)(ii))	Pgs. 129-132	X	
C3. Does the Plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? (Requirement §201.6(c)(3)(i))	Pgs. 142	X	
C4. Does the Plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? (Requirement §201.6(c)(3)(ii))	Pgs. 148-165	X	
C5. Does the Plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction? (Requirement §201.6(c)(3)(iv)); (Requirement §201.6(c)(3)(iii))	Pgs. 141-142	X	
C6. Does the Plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? (Requirement §201.6(c)(4)(ii))	Pgs. 128-138; 140-141; 143	X	
<u>ELEMENT C: REQUIRED REVISIONS</u>			

LOCAL MITIGATION PLAN REVIEW TOOL

1. REGULATION CHECKLIST Regulation (44 CFR 201.6 Local Mitigation Plans)	Location in Plan (section and/or page number)	Met	Not Met
ELEMENT D. PLAN REVIEW, EVALUATION, AND IMPLEMENTATION (applicable to plan updates only)			
D1. Was the plan revised to reflect changes in development? (Requirement §201.6(d)(3))	Pg. 123	X	
D2. Was the plan revised to reflect progress in local mitigation efforts? (Requirement §201.6(d)(3))	Pgs. 141-147	X	
D3. Was the plan revised to reflect changes in priorities? (Requirement §201.6(d)(3))	Pg. 141	X	
ELEMENT D: REQUIRED REVISIONS			
ELEMENT E. PLAN ADOPTION			
E1. Does the Plan include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval? (Requirement §201.6(c)(5))	N/A		X
E2. For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption? (Requirement §201.6(c)(5))	N/A		X
ELEMENT E: REQUIRED REVISIONS			
For each participating jurisdiction, the plan must include adoption documentation to obtain plan approval.			
OPTIONAL: HIGH HAZARD POTENTIAL DAM RISKS			
HHPD1. Did Element A4 (planning process) describe the incorporation of existing plans, studies, reports, and technical information for high hazard potential dams?			
HHPD2. Did Element B3 (risk assessment) address HHPDs?			
HHPD3. Did Element C3 (mitigation goals) include mitigation goals to reduce long-term vulnerabilities from high hazard potential dams that pose an unacceptable risk to the public?			
HHPD4. Did Element C4-C5 (mitigation actions) address HHPDs prioritize mitigation actions to reduce vulnerabilities from high hazard potential dams that pose an unacceptable risk to the public?			
REQUIRED REVISIONS			
ELEMENT F. ADDITIONAL STATE REQUIREMENTS (optional for State reviewers only; not to be completed by FEMA)			
F1.			
F2.			
ELEMENT F: REQUIRED REVISION			

LOCAL MITIGATION PLAN REVIEW TOOL

SECTION 2:

PLAN ASSESSMENT

INSTRUCTIONS: The purpose of the Plan Assessment is to offer the local community more comprehensive feedback to the community on the quality and utility of the plan in a narrative format. The audience for the Plan Assessment is not only the plan developer/local community planner, but also elected officials, local departments and agencies, and others involved in implementing the Local Mitigation Plan. The Plan Assessment must be completed by FEMA. The Assessment is an opportunity for FEMA to provide feedback and information to the community on: 1) suggested improvements to the Plan; 2) specific sections in the Plan where the community has gone above and beyond minimum requirements; 3) recommendations for plan implementation; and 4) ongoing partnership(s) and information on other FEMA programs, specifically RiskMAP and Hazard Mitigation Assistance programs. The Plan Assessment is divided into two sections:

1. Plan Strengths and Opportunities for Improvement
2. Resources for Implementing Your Approved Plan

Plan Strengths and Opportunities for Improvement is organized according to the plan Elements listed in the Regulation Checklist. Each Element includes a series of italicized bulleted items that are suggested topics for consideration while evaluating plans, but it is not intended to be a comprehensive list. FEMA Mitigation Planners are not required to answer each bullet item, and should use them as a guide to paraphrase their own written assessment (2-3 sentences) of each Element.

The Plan Assessment must not reiterate the required revisions from the Regulation Checklist or be regulatory in nature, and should be open-ended and to provide the community with suggestions for improvements or recommended revisions. The recommended revisions are suggestions for improvement and are not required to be made for the Plan to meet Federal regulatory requirements. The italicized text should be deleted once FEMA has added comments regarding strengths of the plan and potential improvements for future plan revisions. It is recommended that the Plan Assessment be a short synopsis of the overall strengths and weaknesses of the Plan (no longer than two pages), rather than a complete recap section by section.

Resources for Implementing Your Approved Plan provides a place for FEMA to offer information, data sources and general suggestions on the overall plan implementation and maintenance process. Information on other possible sources of assistance including, but not limited to, existing publications, grant funding or training opportunities, can be provided. States may add state and local resources, if available.

LOCAL MITIGATION PLAN REVIEW TOOL

A. Plan Strengths and Opportunities for Improvement

This section provides a discussion of the strengths of the plan document and identifies areas where these could be improved beyond minimum requirements.

Element A: Planning Process

How does the Plan go above and beyond minimum requirements to document the planning process with respect to:

- Involvement of stakeholders (elected officials/decision makers, plan implementers, business owners, academic institutions, utility companies, water/sanitation districts, etc.);
- Involvement of Planning, Emergency Management, Public Works Departments or other planning agencies (i.e., regional planning councils);
- Diverse methods of participation (meetings, surveys, online, etc.); and
- Reflective of an open and inclusive public involvement process.

Element B: Hazard Identification and Risk Assessment

In addition to the requirements listed in the Regulation Checklist, 44 CFR 201.6 Local Mitigation Plans identifies additional elements that should be included as part of a plan's risk assessment. The plan should describe vulnerability in terms of:

- 1) A general description of land uses and future development trends within the community so that mitigation options can be considered in future land use decisions;
- 2) The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas; and
- 3) A description of potential dollar losses to vulnerable structures, and a description of the methodology used to prepare the estimate.

How does the Plan go above and beyond minimum requirements to document the Hazard Identification and Risk Assessment with respect to:

- Use of best available data (flood maps, HAZUS, flood studies) to describe significant hazards;
- Communication of risk on people, property, and infrastructure to the public (through tables, charts, maps, photos, etc.);
- Incorporation of techniques and methodologies to estimate dollar losses to vulnerable structures;

LOCAL MITIGATION PLAN REVIEW TOOL

- Incorporation of Risk MAP products (i.e., depth grids, Flood Risk Report, Changes Since Last FIRM, Areas of Mitigation Interest, etc.); and
- Identification of any data gaps that can be filled as new data became available.

Element C: Mitigation Strategy

How does the Plan go above and beyond minimum requirements to document the Mitigation Strategy with respect to:

- Key problems identified in, and linkages to, the vulnerability assessment;
- Serving as a blueprint for reducing potential losses identified in the Hazard Identification and Risk Assessment;
- Plan content flow from the risk assessment (problem identification) to goal setting to mitigation action development;
- An understanding of mitigation principles (diversity of actions that include structural projects, preventative measures, outreach activities, property protection measures, post-disaster actions, etc);
- Specific mitigation actions for each participating jurisdictions that reflects their unique risks and capabilities;
- Integration of mitigation actions with existing local authorities, policies, programs, and resources; and
- Discussion of existing programs (including the NFIP), plans, and policies that could be used to implement mitigation, as well as document past projects.

Element D: Plan Update, Evaluation, and Implementation (Plan Updates Only)

How does the Plan go above and beyond minimum requirements to document the 5-year Evaluation and Implementation measures with respect to:

- Status of previously recommended mitigation actions;
- Identification of barriers or obstacles to successful implementation or completion of mitigation actions, along with possible solutions for overcoming risk;
- Documentation of annual reviews and committee involvement;
- Identification of a lead person to take ownership of, and champion the Plan;
- Reducing risks from natural hazards and serving as a guide for decisions makers as they commit resources to reducing the effects of natural hazards;
- An approach to evaluating future conditions (i.e. socio-economic, environmental, demographic, change in built environment etc.);
- Discussion of how changing conditions and opportunities could impact community resilience in the long term; and
- Discussion of how the mitigation goals and actions support the long-term community vision for increased resilience.

B. Resources for Implementing Your Approved Plan

This section provides examples of possible resources plan implementation.

Ideas may be offered on moving the mitigation plan forward and continuing the relationship with key mitigation stakeholders such as the following:

- What FEMA assistance (funding) programs are available (for example, Hazard Mitigation Assistance (HMA)) to the jurisdiction(s) to assist with implementing the mitigation actions?
- What other Federal programs (National Flood Insurance Program (NFIP), Community Rating System (CRS), Risk MAP, etc.) may provide assistance for mitigation activities?
- What publications, technical guidance or other resources are available to the jurisdiction(s) relevant to the identified mitigation actions?
- Are there upcoming trainings/workshops (Benefit-Cost Analysis (BCA), HMA, etc.) to assist the jurisdictions(s)?
- What mitigation actions can be funded by other Federal agencies (for example, U.S. Forest Service, National Oceanic and Atmospheric Administration (NOAA), Environmental Protection Agency (EPA) Smart Growth, Housing and Urban Development (HUD) Sustainable Communities, etc.) and/or state and local agencies?

FEMA Mitigation grants are available to eligible applicants. Search [grants.gov](https://www.grants.gov) for additional resources for implementing mitigation actions.

LOCAL MITIGATION PLAN REVIEW TOOL

SECTION 3:

MULTI-JURISDICTION SUMMARY SHEET (OPTIONAL)

INSTRUCTIONS: For multi-jurisdictional plans, a Multi-jurisdiction Summary Spreadsheet may be completed by listing each participating jurisdiction, which required Elements for each jurisdiction were 'Met' or 'Not Met,' and when the adoption resolutions were received. This Summary Sheet does not imply that a mini-plan be developed for each jurisdiction; it should be used as an optional worksheet to ensure that each jurisdiction participating in the Plan has been documented and has met the requirements for those Elements (A through E).

MULTI-JURISDICTION SUMMARY SHEET												
#	Jurisdiction Name	Jurisdiction Type (city/borough/ township/ village, etc.)	Plan POC	Mailing Address	Email	Phone	Requirements Met (Y/N)					
							A. Planning Process	B. Hazard Identification & Risk Assessment	C. Mitigation Strategy	D. Plan Review, Evaluation & Implementation	E. Plan Adoption	F. State Require- ments
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												

Valencia County Hazard Mitigation Plan

Natural hazards have the potential to cause property damage, loss of life, economic hardship, and threats to public health and safety. Hazard mitigation measures are the things we do today to be more protected in the future. They are actions taken before a disaster happens to reduce the impact of future hazard events on people and property in the community. Mitigation reduces the risk of loss and creates a more resilient and sustainable community.

Project Overview

Valencia County in coordination with their participating municipal jurisdictions updated its **hazard mitigation plan**. The Hazard Mitigation Plan will identify local policies and actions for reducing risk and future losses from natural hazards such as floods, severe storms, wildfires, and winter weather.

The plan will also serve to meet key federal planning regulations which require local governments to develop a hazard mitigation plan as a condition for receiving certain types of non-emergency disaster assistance, including funding for hazard mitigation projects.

These requirements stem from the Disaster Mitigation Act of 2000 which was passed by the President in October of 2000. This Act mandates that all states and local governments must have hazard mitigation plans in place in order to be eligible to apply for funding under such programs as the Hazard Mitigation Grant Program (HMGP) and the Pre-Disaster Mitigation (PDM) program.

The Planning Process

The planning process for the Hazard Mitigation Plan will consist of the six main phases described in detail in the following sections: **public outreach, risk assessment, capability assessment, mitigation strategy development, plan maintenance, and plan adoption**.

Public Outreach



The goals of the public outreach strategy for this planning effort were to and continue to: generate public interest, solicit citizen input, and engage additional partners in the planning process.

Below is a link to our web-based public participation survey

<https://www.surveymonkey.com/r/JT2MWFL>

For updates and information shared through social media, such as on Facebook The Valencia County Office of Emergency Management Page.

Risk Assessment

The desired outcomes of a risk assessment are an evaluation of each identified hazard's potential impacts on the people, economy, and built and natural environments in the planning area plus an understanding of each participating jurisdiction's overall vulnerability and most significant risks. These potential impacts and a thorough understanding of the overall vulnerability can be used to create problem statements and identify mitigation actions to reduce risk.

Capability Assessment

Each participating jurisdiction has a unique set of capabilities, including authorities, policies, programs, staff, funding, and other resources available to accomplish mitigation and reduce long-term vulnerability. By reviewing the existing capabilities in each jurisdiction, the planning team can identify capabilities that currently reduce disaster losses or could be used to reduce losses in the future.

Mitigation Strategy Development

The primary purpose of mitigation planning is to systematically identify policies, actions, and activities to reduce the impact that future natural hazard occurrences will have on people and property in the planning area. Mitigation strategy development includes long-range mitigation goals common to the planning area and short-term mitigation actions specific to each participating jurisdiction.

Plan Maintenance

Plan maintenance is the process established to track the plan's implementation and to aid in updating the plan every five years. These procedures help to ensure that the mitigation strategy is implemented according to the plan. They also provide the foundation for an ongoing mitigation program, standardize long-term monitoring of hazard-related activities, integrate mitigation principles into local officials' daily job responsibilities, and maintain momentum through continued engagement and accountability in the plan's progress.

Plan Adoption

Each participating jurisdiction seeking plan approval must adopt the plan. Adoption by the local governing body demonstrates the community's commitment to implementing the mitigation strategy and authorizes responsible agencies to execute their actions. The final plan is not approved until the community adopts the plan and FEMA receives documentation of formal adoption by the governing body of the jurisdictions requesting approval.

Project Leadership

Item 6.

This regional planning effort is being led by the Valencia County Office of Emergency Management, with technical assistance from AECOM. A Local Hazard Mitigation Planning Committee made up of local officials, representatives, and stakeholders have been established to guide this process. In addition, local points of contact have been established for each of the counties as well as the participating municipal jurisdictions.

For More Information

To learn more about this project, or to find out how you can be involved, please contact Sarah Gillen, Valencia County Office of Emergency Management, at 505.866.2043 or sarah.gillen@co.valencia.nm.us.