



City of Rio Communities Council Workshop
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, May 08, 2023 3:00 PM
Agenda

Please silence all electronic devices.

Call to Order

Attendees

Discussion/Agenda Items

- 1. Accounts payable report** (Finance Department)
- 2. Rescind the 14 Day review for Ordinance 2023 - XX Personnel Policy passed at the 4/24/23 meeting** (Manager/Council)
- 3. Ordinance 2023 - XX An Ordinance Implementing an Personnel Ordinance for the City of Rio Communities for a 14-day review** (Manager/Council)
- 4. Topics for Joint Workshop with Planning and Zoning** (Council/Manager)
- 5. Intergovernmental Services Agreement between the County of Valencia and The City of Rio Communities for Law Enforcement Protection** (Manager/Council)

Public Comment: The Council will take public comments in written format. These should be emailed to admin@riocommunities.net through 2:00 PM on Monday, May 8, 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

Council General Discussion & Future Agenda Items

Adjourn

Thank you - Joshua Ramsell - Mayor of Rio Communities

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.

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<https://www.facebook.com/riocommunities>

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.



Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 11000 - General Operating Fund					
Department: 0001 - No Department					
GSD - Administrative Services D...	INV0004030	04/14/2023	DENTAL	11000-0001-22055	337.71
GSD - Administrative Services D...	INV0004031	04/14/2023	DISABILITY	11000-0001-22075	24.70
Sunport Financial LLC	INV0004032	04/14/2023	Socorro County District Court C...	11000-0001-22040	75.00
Globe Life & Accident Insurance...	INV0004033	04/14/2023	GLOBE LIFE INSURANCE	11000-0001-22080	56.00
GSD - Administrative Services D...	INV0004034	04/14/2023	HEALTH	11000-0001-22050	4,822.21
GSD - Administrative Services D...	INV0004035	04/14/2023	VISION	11000-0001-22060	59.05
GSD - Administrative Services D...	INV0004063	04/28/2023	ADMIN FEE	11000-0001-22050	12.33
GSD - Administrative Services D...	INV0004064	04/28/2023	DENTAL	11000-0001-22055	337.71
GSD - Administrative Services D...	INV0004065	04/28/2023	DISABILITY	11000-0001-22075	24.70
Sunport Financial LLC	INV0004066	04/28/2023	Socorro County District Court C...	11000-0001-22040	75.00
Globe Life & Accident Insurance...	INV0004067	04/28/2023	GLOBE LIFE INSURANCE	11000-0001-22080	56.00
GSD - Administrative Services D...	INV0004068	04/28/2023	HEALTH	11000-0001-22050	4,822.21
GSD - Administrative Services D...	INV0004069	04/28/2023	BASIC LIFE	11000-0001-22070	39.78
GSD - Administrative Services D...	INV0004070	04/28/2023	VISION	11000-0001-22060	59.05
Department 0001 - No Department Total:					10,801.45
Department: 1009 - Municipal Court					
Amazon Business	1LPT-7NG1-DYX7	04/25/2023	Furniture	11000-1009-56040	1,715.35
Magdalena Giron	INV0004077	04/25/2023	Court Translation services	11000-1009-55999	183.91
Bank of America, N.A.	INV0004087	05/03/2023	Judge Desk-Expresso Color	11000-1009-56040	2,313.40
Department 1009 - Municipal Court Total:					4,212.66
Department: 2001 - Manager					
Verizon Wireless	9932971666	05/03/2023	CM Telecommunications	11000-2001-57160	127.01
Department 2001 - Manager Total:					127.01
Department: 2002 - General Administration					
Comcast Business	171088056	04/25/2023	Fiber - City Hall	11000-2002-57160	2,578.28
Home Depot	2170808	04/25/2023	Blanket PO for materials maint...	11000-2002-54010	21.45
Home Depot	22291	04/25/2023	Blanket PO for materials maint...	11000-2002-54010	54.62
Home Depot	3023075	04/25/2023	disinfectant	11000-2002-56050	72.50
Home Depot	4171188	04/25/2023	disinfectant	11000-2002-56050	73.70
Wells Fargo Financial Leasing	5024721409	04/25/2023	Contract #8000493854 - MX30...	11000-2002-57130	276.50
Home Depot	7171022	04/25/2023	disinfectant	11000-2002-56050	39.20
Home Depot	7171534	04/25/2023	Blanket PO for materials maint...	11000-2002-54010	248.94
Sharp Electronics Corporation	9004296655	04/25/2023	Contract# 8000563882 VOIP CH...	11000-2002-55030	541.91
Sharp Electronics Corporation	9004297383	04/25/2023	Contract #8000452181 - CH Hel...	11000-2002-55030	285.00
Shred-it US JV LLC	8003791348	04/27/2023	Document Shredding	11000-2002-55999	119.28
NM Local Government Law	1058	05/03/2023	Legal Services April 2023	11000-2002-55020	3,511.33
Sharp Electronics Corporation	13985738	05/03/2023	CH Sonic Firewall 3-Year	11000-2002-56010	1,995.91
WEX Bank	88900769	05/03/2023	Fuel - City Wide Clean-Up	11000-2002-57998	916.90
WEX Bank	88900769	05/03/2023	Finanace Dept Fuel	11000-2002-57999	46.83
Bank of America, N.A.	INV0004081	05/03/2023	Kitchen/Pantry Supplies	11000-2002-56060	21.46
Bank of America, N.A.	INV0004083	05/03/2023	Kitchen/Pantry Supplies	11000-2002-56060	3.28
Bank of America, N.A.	INV0004088	05/03/2023	Recording Fee for Drainage Eas...	11000-2002-57999	25.00
Comcast Business	INV0004091	05/03/2023	CH Telecommunications	11000-2002-57160	492.28
PNM	INV0004092	05/03/2023	CH Electricity	11000-2002-57170	527.23
NM Water Service Company	INV0004093	05/03/2023	CH Water	11000-2002-57173	292.50
NM Gas Co	INV0004094	05/03/2023	Natural Gas	11000-2002-57171	250.03
HEI, Inc	SRVCE008923	05/03/2023	Repair Power Receptacles in Co...	11000-2002-54010	561.28
Stanley Steemer of Albuquerque	1285908	05/04/2023	Carpet Cleaning - Court	11000-2002-55999	232.60
Department 2002 - General Administration Total:					13,188.01
Department: 2004 - Finance/Budget/Accounting					
Verizon Wireless	9932971666	05/03/2023	Finance Telecommunications	11000-2004-57160	80.10

Accounts Payable Approval Report

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Stephanie Finch	INV0004078	05/03/2023	Travel Reimb 4.18.23 - 4.21.23	11000-2004-53030	20.00
Bank of America, N.A.	INV0004090	05/03/2023	MCM Elegante-Ruidoso/NMPPA..	11000-2004-53030	388.23
Department 2004 - Finance/Budget/Accounting Total:					488.33
Department: 2008 - Municipal Clerk					
Amazon Business	199M-DFKX-7QCG	05/03/2023	wireless keyboard and mouse - ...	11000-2008-56020	38.99
Amazon Business	199M-DFKX-7QCG	05/03/2023	4gb flash drives 10 pack	11000-2008-56020	26.99
Amazon Business	199M-DFKX-7QCG	05/03/2023	3 inch 3 ring binder 2 pack - sage	11000-2008-56020	14.56
Amazon Business	199M-DFKX-7QCG	05/03/2023	carbon paper	11000-2008-56020	6.99
Amazon Business	199M-DFKX-7QCG	05/03/2023	push pns	11000-2008-56020	4.19
Amazon Business	199M-DFKX-7QCG	05/03/2023	3 inch 3 ring binder 2 pack indig...	11000-2008-56020	33.72
Elizabeth F. Adair	INV0004079	05/03/2023	Travel Reimb 4.18.23 - 4.21.23	11000-2008-53030	218.44
Lalena Aragon	INV0004080	05/03/2023	Travel Reimb 4.18.23 - 4.21.23	11000-2008-53030	218.44
Bank of America, N.A.	INV0004084	05/03/2023	Hotel stay 4/18 - 4/21 Lisa	11000-2008-53030	516.81
Bank of America, N.A.	INV0004085	05/03/2023	Hotel stay 4/18 - 4/21 Lalena	11000-2008-53030	516.81
Department 2008 - Municipal Clerk Total:					1,595.94
Department: 2014 - Economic Development					
Bank of America, N.A.	INV0004086	05/03/2023	SiteGrond renewal of Domain - ...	11000-2014-56010	21.99
Department 2014 - Economic Development Total:					21.99
Department: 3001 - Law Enforcement					
Sharp Electronics Corporation	9004303385	05/03/2023	PD Helpdesk & Cloud Back-Up	11000-3001-55030	919.00
Sharp Electronics Corporation	9004303386	05/03/2023	PD Helpdesk & Cloud Back-Up	11000-3001-55030	919.00
Department 3001 - Law Enforcement Total:					1,838.00
Department: 3002 - Fire Protection					
WEX Bank	88900769	05/03/2023	CE Fuel	11000-3002-56120	253.61
Verizon Wireless	9932971666	05/03/2023	CE Telecommunications	11000-3002-57160	91.84
Department 3002 - Fire Protection Total:					345.45
Department: 3004 - Animal Control					
Valencia County Fiscal Office	AC2023-38	04/25/2023	Animal Control February 2023	11000-3004-55999	1,249.70
Valencia County Fiscal Office	AC2023-43	04/26/2023	Animal Control March 2023	11000-3004-55999	813.85
Department 3004 - Animal Control Total:					2,063.55
Department: 4004 - Library					
Amazon Business	199M-DFKX-7QCG	05/03/2023	library books card wth pocket	11000-4004-56020	17.99
Amazon Business	199M-DFKX-7QCG	05/03/2023	self adhesive dots	11000-4004-56020	8.97
Department 4004 - Library Total:					26.96
Department: 5101 - Public Works					
Woodlands Hardware	0110543/1	04/25/2023	Def	11000-5101-56999	77.35
Craig Independent Tire Co.	126608	04/25/2023	tires	11000-5101-56122	979.11
Garcia & Sons Security	9165	04/25/2023	Locks for for PW-Containers and..	11000-5101-56999	496.02
Woodlands Hardware	010549/1	05/03/2023	PW Supplies	11000-5101-56999	171.08
Woodlands Hardware	010605/1	05/03/2023	PW Supplies	11000-5101-56999	156.99
WEX Bank	88900769	05/03/2023	PW Fuel	11000-5101-56120	402.00
Verizon Wireless	9932971666	05/03/2023	PW Telecommunicationns	11000-5101-57160	233.73
Department 5101 - Public Works Total:					2,516.28
Department: 5104 - Highways and Streets					
J-H Supply Company	113054	05/03/2023	Road, stop, directional and Illeg...	11000-5104-56090	173.30
J-H Supply Company	113055	05/03/2023	Road, stop, directional and Illeg...	11000-5104-56090	1,632.85
J-H Supply Company	113056	05/03/2023	Road, stop, directional and Illeg...	11000-5104-56090	135.60
PNM	INV0004092	05/03/2023	SL Electricity	11000-5104-57170	713.41
Department 5104 - Highways and Streets Total:					2,655.16
Fund 11000 - General Operating Fund Total:					39,880.79
Fund: 20100 - Corrections					
Department: 0001 - No Department					
Administrative Office of the Cou...	INV0004076	04/25/2023	March 2023	20100-0001-21040	12.00
Department 0001 - No Department Total:					12.00
Fund 20100 - Corrections Total:					12.00

Accounts Payable Approval Report

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 20900 - Fire Protection					
Department: 3002 - Fire Protection					
UniqueFleet, LLC.	21719	04/25/2023	Maint 1989 Chevrolet Water Ta...	20900-3002-54040	2,155.75
UniqueFleet, LLC.	21764	04/25/2023	Maintenance 2017 Chevrolet 2...	20900-3002-54040	3,146.09
Linde Gas & Equipment Inc.	35431414	04/25/2023	Oxygen	20900-3002-56030	133.81
Sharp Electronics Corporation	9004296655	04/25/2023	Contract# 8000563882 VOIP CH...	20900-3002-55030	80.98
Woodlands Hardware	010493/1	05/03/2023	Chaps, Stihl Carrying Case, Mar...	20900-3002-54060	314.72
Craig Independent Tire Co.	126768	05/03/2023	Tire Repair 2021 Freightliner M2	20900-3002-54040	42.34
Neds Pipe + Steel	420995	05/03/2023	steel hose roller	20900-3002-56030	473.65
WEX Bank	88900769	05/03/2023	FD Fuel	20900-3002-56120	1,180.13
Verizon Wireless	9932971666	05/03/2023	FD Telecommunications	20900-3002-57160	130.86
PNM	INV0004092	05/03/2023	FD Electricity	20900-3002-57170	733.99
NM Water Service Company	INV0004093	05/03/2023	FD Water	20900-3002-57173	68.60
NM Gas Co	INV0004094	05/03/2023	Natural Gas	20900-3002-57171	107.54
LN Curtis	INV700114	05/03/2023	Gate valves	20900-3002-56030	990.00
Woodlands Hardware	010578/1	05/04/2023	Auto Shut Off Gas Can	20900-3002-54060	19.98
Department 3002 - Fire Protection Total:					9,578.44
Fund 20900 - Fire Protection Total:					9,578.44
Fund: 21600 - Municipal Street					
Department: 5002 - Municipal Streets					
Tabet Lumber Co, Inc.	34846	05/03/2023	cold mix full pallet pot holing	21600-5002-54030	1,218.85
Department 5002 - Municipal Streets Total:					1,218.85
Fund 21600 - Municipal Street Total:					1,218.85
Fund: 29700 - County EMS GRT					
Department: 2002 - General Administration					
Stericycle Inc.	3006452572	05/03/2023	Biohazard Waste Pickup	29700-2002-55999	250.24
WEX Bank	88900769	05/03/2023	EMS Fuel	29700-2002-56120	117.74
Verizon Wireless	9932971666	05/03/2023	EMS Telecommunications	29700-2002-57160	214.18
Department 2002 - General Administration Total:					582.16
Fund 29700 - County EMS GRT Total:					582.16
Fund: 30300 - State Legislative Appropriation Project					
Department: 2002 - General Administration					
School Specialty LLC	308104264937	04/25/2023	Furniture/STEM equipment Co...	30300-2002-58999	22,675.66
Home Depot	8835625	04/25/2023	Cabinets for Community Progr...	30300-2002-58999	2,872.23
Home Depot	9475428	04/25/2023	Cabinets for Community Progr...	30300-2002-58999	498.00
HEI, Inc	JC3291	05/04/2023	Gross Receipts Tax @ 7.8125%	30300-2002-58010	11,105.63
HEI, Inc	JC3291	05/04/2023	Cabinets	30300-2002-58010	5,000.00
HEI, Inc	JC3291	05/04/2023	Paint	30300-2002-58010	6,500.00
HEI, Inc	JC3291	05/04/2023	Doors	30300-2002-58010	7,500.00
HEI, Inc	JC3291	05/04/2023	Storefront and Glass	30300-2002-58010	10,175.66
HEI, Inc	JC3291	05/04/2023	Data	30300-2002-58010	8,000.00
HEI, Inc	JC3291	05/04/2023	Contingency 8% of \$514,324.00	30300-2002-58010	2,924.23
HEI, Inc	JC3291	05/04/2023	Electrical	30300-2002-58010	10,000.00
HEI, Inc	JC3291	05/04/2023	Fire Alarm	30300-2002-58010	2,500.00
HEI, Inc	JC3291	05/04/2023	Framing, Drywall, Texture, & Lay...	30300-2002-58010	35,852.00
HEI, Inc	JC3291	05/04/2023	Contingency 8% of \$514,324.00	30300-2002-58010	19,575.77
HEI, Inc	JC3291	05/04/2023	Job Supervision	30300-2002-58010	17,000.00
HEI, Inc	JC3291	05/04/2023	Mechanical	30300-2002-58010	12,400.00
HEI, Inc	JC3291	05/04/2023	Storefront and Glass	30300-2002-58010	824.34
HEI, Inc	JC3291	05/04/2023	Jobsite Costs	30300-2002-58010	3,900.00
Department 2002 - General Administration Total:					179,303.52
Fund 30300 - State Legislative Appropriation Project Total:					179,303.52
Fund: 39900 - Other Capital Projects					
Department: 2002 - General Administration					
Carpet Warehouse, Inc.	010087	04/25/2023	Cove Base	39900-2002-58010	432.00
Construction Coordinators Inc.	1244	05/03/2023	GRT @ 7.8125%	39900-2002-58010	330.63
Construction Coordinators Inc.	1244	05/03/2023	Court Room Remodel	39900-2002-58010	5,682.00
Construction Coordinators Inc.	1245	05/03/2023	Maker Space & Maker Space O...	39900-2002-58010	4,218.77

Accounts Payable Approval Report

Item 1.

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Construction Coordinators Inc.	1246	05/03/2023	GRT 7.8125% Rio Communities	39900-2002-58010	87.03
Construction Coordinators Inc.	1246	05/03/2023	Police Department Security Wall	39900-2002-58010	1,579.00
Sharp Electronics Corporation	13972680	05/03/2023	PD Server Cabling	39900-2002-56040	12,000.00
Department 2002 - General Administration Total:					24,329.43
Fund 39900 - Other Capital Projects Total:					24,329.43
Grand Total:					254,905.19

Report Summary

Fund Summary

Fund	Expense Amount
11000 - General Operating Fund	39,880.79
20100 - Corrections	12.00
20900 - Fire Protection	9,578.44
21600 - Municipal Street	1,218.85
29700 - County EMS GRT	582.16
30300 - State Legislative Appropriation Project	179,303.52
39900 - Other Capital Projects	24,329.43
Grand Total:	254,905.19

Account Summary

Account Number	Account Name	Expense Amount
11000-0001-22040	Garnishments Payable	150.00
11000-0001-22050	Healthcare Insurance Pay...	9,656.75
11000-0001-22055	Dental Insurance Payable	675.42
11000-0001-22060	Vision Insurance Payable	118.10
11000-0001-22070	Life Insurance Payable	39.78
11000-0001-22075	Disability Payable	49.40
11000-0001-22080	Miscellaneous Employee ...	112.00
11000-1009-55999	Contract - Other Services	183.91
11000-1009-56040	Supplies-Furniture/Fixture...	4,028.75
11000-2001-57160	Telecommunications	127.01
11000-2002-54010	Maintenance & Repairs - ...	886.29
11000-2002-55020	Contract - Attorney Fees	3,511.33
11000-2002-55030	Contract - Professional Se...	826.91
11000-2002-55999	Contract - Other Services	351.88
11000-2002-56010	Software	1,995.91
11000-2002-56050	Supplies - Janitorial/Main...	185.40
11000-2002-56060	Supplies - Kitchen	24.74
11000-2002-57130	Rent of Equipment/Machi...	276.50
11000-2002-57160	Telecommunications	3,070.56
11000-2002-57170	Utilities - Electricity	527.23
11000-2002-57171	Utilities - Natural Gas	250.03
11000-2002-57173	Utilities - Water	292.50
11000-2002-57998	City Wide Clean-Up	916.90
11000-2002-57999	Other Operating Costs	71.83
11000-2004-53030	Travel - Employees	408.23
11000-2004-57160	Telecommunications	80.10
11000-2008-53030	Travel - Employees	1,470.50
11000-2008-56020	Supplies - General Office	125.44
11000-2014-56010	Software	21.99
11000-3001-55030	Contract - Professional Se...	1,838.00
11000-3002-56120	Supplies - Vehicle Fuel	253.61
11000-3002-57160	Telecommunications	91.84
11000-3004-55999	Contract - Other Services	2,063.55
11000-4004-56020	Supplies - General Office	26.96
11000-5101-56120	Supplies - Vehicle Fuel	402.00
11000-5101-56122	Supplies - Vehicle Tires	979.11
11000-5101-56999	Supplies - Other	901.44
11000-5101-57160	Telecommunications	233.73
11000-5104-56090	Supplies - Safety	1,941.75
11000-5104-57170	Utilities - Electricity	713.41
20100-0001-21040	Admin Office of Courts Pa...	12.00
20900-3002-54040	Maintenance & Repairs - ...	5,344.18
20900-3002-54060	Maintenance Supplies	334.70
20900-3002-55030	Contract - Professional Se...	80.98
20900-3002-56030	Supplies - Field Supplies	1,597.46
20900-3002-56120	Supplies - Vehicle Fuel	1,180.13

Account Summary

Account Number	Account Name	Expense Amount
20900-3002-57160	Telecommunications	130.86
20900-3002-57170	Utilities - Electricity	733.99
20900-3002-57171	Utilities - Natural Gas	107.54
20900-3002-57173	Utilities - Water	68.60
21600-5002-54030	Maintenance & Repairs - ...	1,218.85
29700-2002-55999	Contract - Other Services	250.24
29700-2002-56120	Supplies - Vehicle Fuel	117.74
29700-2002-57160	Telecommunications	214.18
30300-2002-58010	Buildings & Structures	153,257.63
30300-2002-58999	Other Capital Purchases	26,045.89
39900-2002-56040	Supplies-Furniture/Fixture...	12,000.00
39900-2002-58010	Buildings & Structures	12,329.43
	Grand Total:	254,905.19

Project Account Summary

Project Account Key	Expense Amount
None	69,520.87
2023-003-50000	20,110.66
E2798-50000	77,427.66
F2947-50000	61,800.11
ZG9318-50000	26,045.89
	Grand Total:
	254,905.19

Authorization Signatures

MAYOR & COUNCILORS

JOSHUA RAMSELL, MAYOR

MARGARET "PEGGY" GUTJAHR, MAYOR PRO-TEM

LAWRENCE GORDON, COUNCILOR

ARTHUR APODACA, COUNCILOR

JIM WINTERS, COUNCILOR

ATTEST:

ELIZABETH "LISA" ADAIR, MUNICIPAL CLERK

**CITY OF RIO COMMUNITIES
ORDINANCE 2023-__**

AN ORDINANCE IMPLEMENTING AN PERSONNEL ORDINANCE FOR THE CITY OF RIO COMMUNITIES; ENACTING RULES FOR HIRING, PROMOTION DISCHARGE AND GENERAL REGULATION OF CITY EMPLOYEES, ELECTED AND APPOINTED OFFICIALS, VOLUNTEERS AND REPEALING AND REPLACING ORDINANCE 2022-82, PERSONNEL ORDINANCE AND ALL AMENDMENTS

WHEREAS, the City Council and Mayor of the City of Rio Communities (City), constitute the duly authorized Governing Body (Governing Body) of the City of Rio Communities, a New Mexico Political Subdivision; and

WHEREAS, the Governing Body has the duty and responsibility to adopt ordinances for the City pursuant to §3-17-1, NMSA 1978 and the duty and responsibility for the management of the government of the City pursuant to §3-12-3 NMSA 1978, *et. seq.*; and,

WHEREAS, the Governing Body is authorized by §3-13-4 NMSA 1978 to adopt an Ordinance governing the relations between the City and its employees; and,

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES AS FOLLOWS:

- I. **TITLE AND AUTHORITY.** This ordinance may be cited as the “City of Rio Communities Personnel Ordinance.”

- II. **PURPOSE AND POLICY.** The purpose of this Ordinance is to establish a system for hiring, promotion, discharge and general regulation of City employees based on merit and not political patronage. All Personnel Policies and employment rules promulgated pursuant to this Ordinance shall be adopted by resolution of the Governing Body except as otherwise provided.

The Personnel Ordinance of the City shall be implemented as follows:

1. Decisions affecting the employment relationship will be based on merit principles designed to recruit, hire and advance employees on the basis of ability, knowledge and skill;
2. To provide equitable and adequate compensation to promote efficiency and economy in the operation of City government;
3. To retain employees on the basis of performance and separate employees whose inadequate performance cannot be corrected;
4. To ensure that employees are not coerced to support or oppose particular candidates or electoral issues;
5. Strive to maintain a system wherein the rights and interests of employees, are consistent with the best interest of the public, the City and consistent with all state and federal laws relating to the employment relationship.

III. APPLICABILITY.

1. The Regular employees of the City shall be covered by all provisions of this Ordinance. Appointed Executive employees and other employees specifically classified as "At Will" employees are not covered by the merit provisions of this Ordinance, are terminable at will, and may not avail themselves of the disciplinary or dispute procedures as set forth in the City Personnel Policy.
 - A. **Regular Employees:** Regular Employees are made up of all full time and part-time regular employees. All individuals regularly employed in the City service on the effective date of the Ordinance who hold positions that are either regular full-time or regular part-time, shall retain their status until they resign, voluntarily accept an Appointed Executive or other At Will position, or until they are terminated in accordance with the procedure established in the City Personnel Policy Manual. All appointments to Regular Employment on and after the effective date hereof shall be made in accordance with this Ordinance, the City Personnel Policy Manual, and any other policies or work rules for employment relations promulgated under this Ordinance.
 - B. **Appointed Executive Employees:** Appointed Executive employees include Elected Officials, Members of City Boards and Commissions, the City Manager, Municipal Clerk, Police Chief, Probationary Employees, Casual, Temporary, Grant-funded positions, and any other employees specifically classified as "At Will". An Appointed Executive employee does not have a probationary period, is in an "at-will" status and serves at the pleasure of the City Council. The Appointed Executive position does not have access to the disciplinary or dispute procedures outlined in the City Personnel Policy. Elected Officials hold office pursuant to state statute.
 - C. **Volunteers.** Volunteers are not employees of the City and maintain no rights, privileges or duties under this Ordinance.
 - D. **Independent Contractors.** Independent Contractors are not employees of the City and have no rights, privileges or duties under this Ordinance.
2. Continued employment of employees covered by this Ordinance shall be subject to the satisfactory performance of their duties and the availability of funds.
3. City Personnel Policy Ordinance 2022-082 and all amendments thereto are hereby repealed and replaced. It is the express intent of the Governing body that the provisions of this Ordinance, the Personnel Policies, and rules and regulations for employment relations adopted pursuant to this Ordinance, while not a contract of employment or offer to enter into a contract of employment, shall establish the standards to be followed for employer-employee relations.

4. Any employee of the City who violates this Ordinance or any policy, rule or regulation adopted pursuant hereto shall be subject to disciplinary action, up to and including termination.

IV. EQUAL OPPORTUNITY EMPLOYER; DISCRIMINATION AND HARASSMENT PROHIBITED.
The City is an equal opportunity employer. Discrimination by any employee is expressly prohibited. If such discriminatory acts occur, the person committing these acts is subject to discipline up to and including dismissal from City employment.

V. EFFECTIVE DATE. The provisions of the City Personnel Ordinance shall take effect five (5) days after its proper recordation by the City Clerk.

PASSED, APPROVED AND ADOPTED THIS XX DAY OF XX 2023 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

Joshua Ramsell, Mayor

Margaret R. Gutjahr,
Councilor, Mayor Pro-tem

Arthur Apodaca,
Councilor

Lawrence Gordon,
Councilor

Jimmie Winters,
Councilor

ATTEST:

Elizabeth F Adair, Municipal Clerk