



## City of Rio Communities Council Regular Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, May 22, 2023 6:00 PM

### Agenda

*Please silence all electronic devices.*

**Mayor - Joshua Ramsell**

**Mayor Pro Tem - Margaret R. Gutjahr**

**Council - Arthur Apodaca, Lawrence R. Gordon, Jimmie Winters**

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

### **Approval of Agenda**

**Approval of Agenda** (The consent agenda is approved by a single motion. Any member of the Council may request an item to be transferred to the regular agenda from the consent agenda without discussion or vote.)

1. **Minutes for the City Council Workshop & Regular Business Meeting (05/08/23) & Approval of Accounts Payable**

### **Public Hearing - Continuation from the May 8th public hearing**

**Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing**

- **Consideration of applicant La Merced Moose Lodge request for three RV sites on the property at 306 Rio Communities Blvd**

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

2. **Discussion, Consideration, and Decision – Regarding applicant La Merced Moose Lodge request for three RV sites on the property at 306 Rio Communities Blvd**

### **Public Hearing -**

**Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing**

- **Consideration of An Ordinance Implementing an Personnel Ordinance for the City of Rio Communities**

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

3. **Discussion, Consideration, and Decision – Ordinance 2023 – (86) An Ordinance Implementing an Personnel Ordinance for the City of Rio Communities**

**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, May 22, 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**

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.

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

4. Snow Runoff update

#### Action Items

5. Discussion, Consideration, and Decision – Zoning Ordinance Amendments for a 15-day review
6. Discussion, Consideration, and Decision – Greater Valencia County Chamber of Commerce membership
7. Discussion, Consideration, and Decision – Once a Day Marketing - Outdoor Recreation Economy
8. Discussion, Consideration, and Decision – Medical Service Provider Letter
9. Discussion, Consideration, and Decision – Mosquito Pest Control
10. Discussion, Consideration, and Decision – Authorize purchase of fire apparatus / Service Truck for Fire Department
11. Discussion, Consideration, and Decision – Authorize purchase of fire apparatus / Ladder Truck for Fire Department

#### Council Discussion

**Executive Session - 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 May 22, 2023 a Closed Executive Session was held and the matters discussed were 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

12. Recommendation, Discussion, Consideration, and Decision - Of the purchase, addition or disposal of real property or water rights by the public body

#### Adjourn

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

***Council may be attending the VALEO Meeting hosted by the City of Belen held at Belen Council Chambers 1000 South Main St., Belen, NM on Tuesday May 23 starting at 6:00, a possible quorum may be in attendance.***

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

*Please silence all electronic devices.*

### **Call to Order**

- Mayor Joshua Ramsell called the regular workshop to order at 3:07 pm.

### **Attendees**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
- City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Accounting Specialist/CPO Angela Valadez, Fire Chief Andrew Tabet, City Attorney Randall Van Vleck.

### **Accounts payable report**

- Accounting Specialist/CPO Valadez went over everything over \$500.00. Comcast Business \$2,578.28, Craig Tire Independent Co. \$1,021.45, Home Depot \$3,88.64, J-H Supply \$1,941.75, LN Curtis \$990.00, Tabet Lumber Co. \$1,218.85, Valencia County Fiscal Office \$2,063.55, Amazon Business \$1,867.75, Construction Coordinator \$11,897.43, HEI Inc. \$153,818.91, NM Local Government \$3,511.33, School Specialty \$22,675.66, Sharp Electronics \$16,741.80, Unique Fleet LLC \$5,301.84, Bank of America \$3,806.98, PNM \$1,974.63, Verizon Wireless \$877.72, WEX Bank \$2,917.12, GSD Administration Services \$10,499.67.
- Councilor Gutjahr said when we look in PNM does that include everyone the Fire Department. and everyone, and Comcast business.
- Accounting Specialist/CPO Valadez said yes to PNM & the Comcast is for the fiber.
- Councilor Gordon asked about the health that is \$4,822.21 I saw that twice. Is that for every month.
- Accounting Specialist/CPO Valadez said yes that's every month we get paid twice a month.
- Councilor Apodaca asked about the School Specialty LLC.
- Accounting Specialist/CPO Valadez said that this is for one of the grants that we have, and it is stuff for the Makers Space.

### **Rescind the 14 Day review for Ordinance 2023 - XX Personnel Policy passed at the 4/24/23 meeting**

- Manager Dr. Moore explained that this is setting up your personnel ordinance. He further explained that this is rescinding the previous fourteen-day review because we had the language changed by the attorneys.
- Councilor Gutjahr said this makes since to her she can see now why that wording was important.

### **Ordinance 2023 - XX An Ordinance Implementing an Personnel Ordinance for the City of Rio Communities for a 14-day review**

- Manager Dr. Moore said there is nothing to add to it.

### **Topics for Joint Workshop with Planning and Zoning**

- Manager Dr. Moore said my suggestion would be two items, the zoning task force recommendations, and the Comprehensive plan. That should take up the whole meeting
- Councilor Gutjahr asked some time ago there was a zoning grid will that be done along with the comprehensive plan or would it fall under the update on the zoning.

- Manager Dr. Moore said that would fall under the zoning update. Once the zoning ordinance is amended, we are adding some development standards and there are some things that are prohibited uses that are currently not in that grid. He further explained that he was speaking with Mayor we will be calling a special meeting on May 17, the day before the public hearing. We will share a timeline with the public so they can understand where things are going.
- Councilor Gordan asked about revitalizing the animal ordinance.
- Manager Dr. Moore said that it has been on all our minds and that is something we need to get done. This has been a struggle though out the whole County.

#### **Intergovernmental Services Agreement between the County of Valencia and The City of Rio Communities for Law Enforcement Protection**

- Manager Dr. Moore said as the deadlines comes closure and closure on trying to get certain types of certifications and an ORI number for our officer to do their jobs that comes from the FBI. He further explained that they had a discussion with the Sheriff, and they are asking for the LEPF funds for the contract. We need to have some discussions and come up with a draft and have a reasonable cost amount. Some of the LPEF funds are tied up in our patrol vehicles. The Sheriff did say they would help us out.
- Manager Dr. Moore said the importance is having law enforcement. They are talking about us having up to 12 months and working with us on the SOPs.
- Councilor Winters asked if we have a time frame.
- Manager Dr. Moore said we will need to have it by June 30<sup>th</sup>.
- Councilor Gordon asked what Nexapol is.
- Manager Dr. Moore said it is a national standardized police procedure that a number of communities work with. He further explained what it does is if there are any changes in state or federal law, they will notify us to keep us up to speed with the updates.
- Councilor Apodaca asked how many hours a deputy spends here since we are part of the County.
- Manager Dr. Moore said to put a number to that I don't know. I can tell you I have seen one or two deputies here a day. They will not be dedicated to our city limits without a MOU.
- Councilor Gutjahr said since we are a municipality, this would be considered mutual aid and then said we should go through our agreement and figure out exactly what we will be paying for.
- Manager Dr. Moore said one thing I would like to back to them and talk to them about the special operations and those types of things we would still like to have that.
- Councilor Apodaca said he would like to be more specific from the Sheriff on what we can count on.
- Manager Dr. Moore said yes and then said we will look at an initial draft and look at cost. We will leave it blank for now until we know what we are paying for.
- Councilor Gordon asked where we are at with the Chief resumes we don't need to pay for a year if we have someone on board.
- Manager Dr. Moore said he has had talks with the sheriff and Mr. Sanchez, the regional director, and they are recommended we hang on to the sheriff office for a 12-month period it will be helpful. It is important to have a set of policies that are consistent with the surrounding agencies. We are ready to come to the council to schedule the first interviews.
- Councilor Gutjahr said one of the things that the sheriff mentioned was to have a law enforcement on the evaluation committee.

- Manager Dr. Moore said she suggested having an outside party law enforcement to come in for the semi and final interviews that doesn't have a political biased here in the community.

#### Public Comment

- No public comments.

#### Manager Report

- Manager Dr. Moore said I have a couple of individuals that I have asked to come talk today. One thing is the fire department and different pieces of fire apparatus like the service and the ladder truck. I asked Chief Propp from Valencia County to come speak.
- Chief Propp from the County Fire Department talked about the ISO evaluation. He said that ISO does determine your homeowner's insurance and commercial insurance. He began to explain the fire apparatus, and ISO requirements. He further said the second tool ISO is going to look at is the ladder truck that would be required for the city. The service truck and ISO requires the service truck to respond to every structure fire and every commercial fire. One of the things we discussed is that Valencia County purchased a few used trucks due to the high demand. My suggestion is to find a good used truck. The average life is about 20 years. The fear will be that ISO will come to your door and ask to see your ladder truck and they will ding you on that.
- Councilor Apodaca said just a comment as a city we have limited funding, I would think since we have such a large area that there is some funding available and we as a city won't have to cover the cost. This is a huge expense, and we have to plan to put in the budget. It is a tuff situation.
- Chief Propp said there are several grants that you can apply for even with that it will still be an expense. He then said on the used side you can buy those although new is the best to go. You can get a used one to get you some time to get funds together.
- Councilor Gordon said if we are in the process of getting a ladder and a service truck would we still be dinged.
- Chief Propp said they are pretty understanding, and you could ask for an extension. They are aware of supply issues if you were to tell them you have a purchase order in for a truck. You can also talk to a broker, that may be a better way to go.
- Councilor Gutjahr asked when you talk about a broker then is that someone, we can be involved with looking for used is that part of our buying process.
- Chief Propp said what makes it easier if you are purchasing through a government agency the broker charges that agency a fee. I have put chief Tabet in touch with a few brokers.
- Mayor Ramsell said his understanding is that NMPA no longer allows an open cab and that is currently what our ladder or service truck has and that is for safety of the crew.
- Chief Propp said that is correct. It has to do with exhaust and the crew inhaling it and other things if the truck is in an accident and those sorts of things.
- Chief Tabet said this is the type of thing that we would have to talk about a way of expenditure to have a means of letter of intent instead of two week later we go back to it, and it is gone.
- Mayor Ramsell asked even if we purchased a new service truck the truck, we have can't be used as a ladder truck.
- Chief Tabet said no it would not be.
- Mayor Ramsell asked the year of that truck.
- Chief Tabet said 1979.
- Chief Propp said ISO also has requirement for occupancy and height with some of the facilities on highway 304 the bare minimum would be a 75ft ladder with a recommendation of a 105ft.

- Mayor Ramsell asked when they look at the height do they look at the height of the truck or just the ladder.
- Chief Propp explained they look at the height of the ladder. They are looking at the operational use of the ladder.
- Manager Dr. Moore introduced Jim Glover and he is here to talk about outdoor recreation.
- Mr. Jim Glover said I am here to talk to you about the outdoor recreation economy and gave a presentation. He said he is here to talk about the project goal is to help Rio Communities build a thriving recreation economy. He explained that there is state and federal funding available. He continued with the presentation.
- Councilor Gordon said he is looking at the Rio Grande. Is there a way to get it dredged so we can use that for canoeing being it is low.
- Mr. Glover said it might be a possibility.
- Manager Dr. Moore said he met with Mr. Glover this morning and he has already planned an out of the United States trip so that's why I asked him to come today. We will be bringing the formal proposal to the next meeting.
- Manager Dr. Moore said he attended a meeting last Friday morning regarding the rising water level in the river. They are facing a unique situation for the first time in about 20 some odd years. When the snow melts it may overflow our banks. We have not hit our melt peak season yet. They will share the tools to watch the water levels. He further said there is a concern.
- Councilor Apodaca said the ditch is already overflowing its banks so this could potentially be something serious.
- Manager Dr. Moore said yes, the Belen drain is almost at the point of overwhelming at the culvert there by the old Willie Chavez park and the Peralta drain is in a little better shape.
- Councilor Gordon asked if there will ever be a point where they will open the levy and let it flow.
- Manager Dr. Moore said they are doing that right now.
- Chief Tabet said concerning this water is the overgrowth in the river has always been a problem with the water this year may create a problem for next year and will be the concern for the fire side.
- Councilor Apodaca said I think several years ago they brought it up to dredge the river.
- Manager Dr. Moore said there were issues in the Salt River area in Phoenix they had to work to get measures in place to do some cleanings.
- Councilor Gordon said there is going to be something in place for the mosquitoes.
- Manager Dr. Moore said they are already here. They haven't announced anything, but it is something we will put on our radar.
- Councilor Gutjahr said that in the past they did some spraying. They did have a program about 10-12 years ago.

#### **Council General Discussion & Future Agenda Items**

- Councilor Apodaca said several months ago Ralph Mimms and a few of the council members met with Billy Baca who was interested in building an RV park and he said the owner of the property changed his mind and has pulled the property off the market. But Billy asked if the city could help him look at some other sites for the RV park.
- Councilor Winters said hook him up with Mr. Sisneros he is interested.
- Councilor Gutjahr asked about the sound system where we are with that.
- Manager Dr. Moore said HDI, who is the general contractor who is on state contract is putting a quote together.

- Councilor Gutjahr said how do we follow-up on the once-a-day marketing.
- Manager Dr. Moore said we are recommending that this comes back at the next meeting for consideration and possible action.
- Councilor Gordon nothing.
- Councilor Winters asked about Green Leaf there is digging going on.
- Manager Dr. Moore said maybe cable of fiber.
- Chief Tabet said they are doing fiber.
- Councilor Gutjahr asked about the meeting with the Water company.
- Manager Dr. Moore said had a good visit with the Water and Sewer company and we invited the fire chief to talk about the hydrant. We talked to them about issues all along Highway 304. They want to get back to us. We did put the rumor to bed they are not planning on closing the Rio Communities office. We will need some wastewater needs. Two things they are working with us, and they would like to have standard meetings at least every few months.
- Councilor Gutjahr said it is probably too early in the conversations but with our development they will continue to work with us on that.
- Manager Dr. Moore said yes, they did we talked about areas that don't have sewers and we are developing a partnership.
- Mayor Ramsell said on May 17th looking at having a public forum at 6pm regarding the zoning task force changed.

### Adjourn

- The regular Workshop was adjourned at 4:30 pm.

Respectfully submitted,

\_\_\_\_\_  
Elizabeth F. Adair, Municipal Clerk  
(Transcribed by Lalena Aragon, Deputy Clerk)

Date: \_\_\_\_\_

Approved:

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Joshua Ramsell, Mayor

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Margaret R. Gutjahr, Mayor Pro-tem/Councilor

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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, May 08, 2023 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

### **Call to Order**

- Mayor Joshua Ramsell called the regular business to order at 6:00 pm.

### **Pledge of Allegiance**

- Councilor Apodaca led the Pledge of Allegiance.

### **Roll Call**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
  - City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Fire Chief Andrew Tabet, City Attorney Randall Van Vleck, Valencia County News-Bulletin Editor Clara Garcia.

### **Approval of Agenda**

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

### **Approval of Consent Agenda Items, city council special workshop minutes (04/17/2023), minutes for the city council workshop & regular business meeting (04/24/23), accounts payable**

- Motion made by Councilor Apodaca to approve the consent agenda items, the city council special workshop minutes of 04/17/2023) minutes for the workshop & regular business meeting of 04/24/23 and accounts payable. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote

### **Public Hearing**

#### **Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing**

- Motion made by Mayor Pro-tem Gutjahr with a roll call vote to recess the regular business meeting session and to go into public hearing for consideration of the applicant La Merced Moose lodge request for three RV sites on the property at 306 Rio Communities Blvd. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the regular business meeting session was recessed and the public hearing began at 6:06 pm.

#### **Consideration of applicant La Merced Moose Lodge request for three RV sites on the property at 306 Rio Communities Blvd**

- Mr. Alan Sinclair stated he is asking for three RV spots on the back of the property one will be for a full-time security man, and he will live there to provide security and the other two will be for visiting moose members to stay and see our lodge and our community. We will not be asking for rent, but asking for donation if they want to donate for the lodge. We have a 25-foot site with a 10-foot easement in between. We have a egress that they are going to put in the front of the property so they will come through the front and not go through the back we know that is other peoples property. We are going to remove the big tree on the southside of our property and run egress back there for RV sites.



- Councilor Apodaca said it is pretty standard for a Moose lodge and Elks lodge to have RV sites for their members. This is not an unusual request.
- Mr. Sinclair said that T or C and Deming have RV sites. I think Las Cruces has RV sites. It is something that we provide for our members that like to travel and see other towns, it is a benefit of being a moose member.
- Councilor Gutjahr said this is going to be behind the lodge.
- Mr. Sinclair said yes on the northside behind the lodge and showed Council where it was located on the map and said we will cut the curb so they can drive to the back.
- Councilor Winters said the RV part have you talked to P&Z.
- Mr. Sinclair said we have got approval from them.
- Councilor Gordon asked how long would it be to get the sites ready.
- Mr. Sinclair said the work is going to be done by volunteers so hopefully a month after approval. I can't guarantee that some of our members work, and they are squeezing us in.
- Councilor Winters said it will have to apply for a permit through the city.
- Mr. Sinclair said yes, the state will have to inspect everything that is done.
- Councilor Winters said then the County will have to.
- Councilor Gutjahr said as far as waste and water and all that.
- Mr. Sinclair said they will provide water hook ups. We will try to do sewer, but we will ask them to dump their black water before they hook up.
- Fire Chief Tabet said regarding the electrical in all three station that will be trucking off the electric that you already have.
- Mr. Sinclair said yes we have certified electricians that are members.
- Fire Chief Tabet said we will work with you when it comes to the water and electricity.
- Mr. Sinclair said most of this we are waiting for is the approval and then they will speak with the water and come to the fire department.
- Councilor Winters asked about fencing around the units.
- Mr. Sinclair said they have fencing on the southside, and they will probably have to put fencing on the westside
- Mr. Irvine gave a PowerPoint presentation. He then said the president that is set
- Attorney Van Vleck said that on the application is a special permit that is not permitted under your code. Your code says special uses does not run with the land. So therefore, they are not permanent. They have a life if the owner owns the property if the owner sells that property that special use permit has to be re applied for. I just want to make sure the applicant and the public understand.
- Councilor Gordon asked if it will be able to accommodate any size of RV.
- Mr. Sinclair said yes, the lots are 25ft wide and 50ft long.
- Councilor Gutjahr said that P&Z did give you an approval. I was hoping for a little more time with this.
- Manager Dr. Moore said you don't have to make a decision if you are requesting more information. This is common on an application like this. He further said if council needs more information they can come back to this and not vote right now.
- Mayor Ramsell ask if they would like recessed the hearing to the next meeting.

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

- Motion made by Councilor Apodaca with a roll call vote to go back into the regular business meeting session. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor

Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went back into the regular business meeting session at 6:31 pm.

**Discussion, Consideration, and Decision – Regarding applicant La Merced Moose Lodge request for three RV sites on the property at 306 Rio Communities Blvd**

- Motion made by Mayor Pro-tem Gutjahr to postpone the public hearing to the next meeting on May 22. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the request from La Merced Moose Lodge was postponed to the next meeting.

**Public Comment**

- Mayor Ramsell read into the minutes Mr. Westmoreland 1. Public works continues to do good work on right of ways. Potholes continue to be a serious issue. The removal of cactus running over the curb makes for a great looking street. 2. The \$600,000 awarded to city hall will hopefully allow for a finished product. 3. Fencing around the city is still an issue. We still have stray dogs escaping poor fencing. 4. Hillandale needs the speed bumps. We have two nuts that run a motorcycle and 4-wheeler at high speeds almost daily. 5. 99 Lloyd Street has an open eye sore. The blue Dodge Ram truck continues to create a dangerous situation. Assessors show the property is owned by Marin Gurule. I believe the home is being used as a multifamily facility. Speaking with the neighbor directly across from the 99 addresses, he told me that he had tried to buy the truck without success. He was told by the owner that it was inoperable. It has been on that corner for 2+ years now. There is another vehicle that's inoperable on the property. Hillandale is a beautiful street except for this residence. 6. Tillery building, and the old carwash continue to be eye sores. I am wondering where we are in removing the old building at Horner and Hwy 47.

**Manager Report**

- Manager Dr. Moore said regarding the issues on the building on highway 47 and Horner the notices have been processed and the clock is ticking. The second thing is the building right here we are working on, sound system and audio. He then said the 3rd thing that is going on is the cleanup. We have one or two temporary individuals who are assisting strictly with clean up after the council approved, we are removing a lot of cactuses, we are spraying to help with the weeds. Staff have been doing training, and Kaylee Dons passed her fire 101. The fire department also has other training going on for re certifications and those sort of things. The judge has also been in some training.

**Municipal Court Department**

- See agenda packet for report.

**Universal Waste Systems quarterly report**

- Councilor Gutjahr said I see we still have a credit hold from Universal Waste where are we in that roll of enforcing it.
- Manager Dr. Moore said I will refer you to the courts in the near future, they still have cases waiting to be heard. With Universal Waste I have talked to the judge and we will be working with her and proceed.
- Clerk Adair explained that she has sent some letters to vacant properties, and they may make a difference on the credit hold if we can confirm they are vacant.
- Mayor Ramsell said congratulations to Kaylee.

### **Rescind the 14 Day review for Ordinance 2023 - XX Personnel Policy passed at the 4/24/23 meeting**

- Manager Dr. Moore said we are recommending a new adoption of the personnel manual here in the city and in order to do that we need to rescind the 14-day read currently in front of you and we have some new language in the packet.
- Motion made by Mayor Pro-tem Gutjahr to approve to Rescind the 14-day review for Ordinance 2023 - XX Personnel Policy passed at the 4/24/23 meeting. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Ordinance 2023-XX personnel policy that was passed on April 24, 2023 for a 14-day review was rescinded.

### **Ordinance 2023 - XX An Ordinance Implementing a Personnel Ordinance for the City of Rio Communities for a 14-day review**

- Councilor Gutjahr said the only comment is that this will allow the amend and work with our policy as opposed to having to come back and redo an ordinance all the time.
- Motion made by Councilor Apodaca to approve Ordinance 2023 - XX An Ordinance Implementing a Personnel Ordinance for the City of Rio Communities for a 14-day review. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the 14-day review of Ordinance 2023 – an ordinance implementing a personnel ordinance for the City of Rio Communities.

### **Intergovernmental Services Agreement between the County of Valencia and The City of Rio Communities for Law Enforcement Protection**

- Manager Dr. Moore said the City of Rio Communities needs a law enforcement agency of record to continue and talking to the Sheriff office they will not continue forward as our law enforcement agency for patrol. Because of the setup times and going over the policies to ensure they are consistent with state and federal guidelines. We are recommending the additional 12 months of services minus the 40 hour a week patrol moving forward with the dollar amount to be blank and be determined and the negotiation of language. I will request an elect official to work with me on this. There are a lot of pieces falling into place.
- Councilor Gutjahr gave a little clarity to the public; we are a municipality and so therefor we are not in the county for them to serve normally and in the past, we had a contract with them in order to have our officer and for all the extras that were part of it. So now we need an agreement with them on what they will do for our municipality, not just mutual aid.
- Motion made by Councilor Gordon to approve the Intergovernmental Services Agreement between the County of Valencia and The City of Rio Communities for Law Enforcement Protection and for Dr. Moore to negotiate services and price. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved Dr. Moore to negotiate the services and price for Law enforcement protection from the County of Valencia.

### **Council Discussion**

- Councilor Apodaca said he wanted to mention to the public that Bill Baca who we have been working with to build a RV park here in the city he had been negotiating with the property owner and the property owner decided to back out of the deal. So is requesting the city to help with finding a new site.
- Manager Dr. Moore said staff would be happy to direct Mr. Baca to our economic development consultant and are happy to work with him.

- Councilor Gutjahr said under the issue of our own police force I think it would helpful for the community to know where we are at with the applications.
- Manager Dr. Moore said we have some applications that we have presented to the press and the city council. We are looking forward to move to semi-final round and it was recommended to get involved a professional law enforcement individual at an executive level so have some assistance.
- Councilor Gordon did not have anything to report.
- Councilor Winters did not have anything to report.
- Mayor Ramsell said on May 17<sup>th</sup> at 6:00pm we will have a public forum to discuss zoning task force recommendations.

**Executive Session - For the purpose of a) the discussion of the annual Performance Evaluation and contract of the City Manager b) the discussion of the annual Performance Evaluation and contract of the Fire Chief position c) Performance Evaluation of the Municipal Clerk d) Performance Evaluation of the Finance Officer pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and e) the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-**

**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 as stated on our agenda. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into executive session at 6:54 pm.

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

- Motion made by Councilor Apodaca with a roll call vote to go back into the regular business meeting session. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went back into the regular business meeting session at 9:24 pm.

**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 May 8, 2023 a Closed Executive Session was held and the matters discussed were for the purpose of the a) the discussion of the annual Performance Evaluation and contract of the City Manager b) the discussion of the annual Performance Evaluation and contract of the Fire Chief position c) Performance Evaluation of the Municipal Clerk d) Performance Evaluation of the Finance Officer pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and e) 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)

**Recommendations, Discussion, Consideration, and Decision**

**a) the discussion of the annual Performance Evaluation and contract of the City Manager**

- Mayor Ramsell recommendation is to keep Dr. Moore and extend a 3-year contract with a salary increase of \$5,000 to his base pay.
- Motion made by Mayor Pro-tem Gutjahr to approve Dr. Moore a 3-year contract with an \$5,000 increase to his base pay. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved Dr. Moore a 3-year contract with an \$5,000 increase to his base pay.

**b) the discussion of the annual Performance Evaluation and contract of the Fire Chief position**

- Mayor Ramsell recommendation is that Dr. Moore draws up a contract for our fire chief with a rate of Pay of \$25.00 per hour or a rate of pay of \$52,000.00 per year and give him the title of Fire Chief of the City of Rio Communities.
- Motion made by Mayor Pro-tem Gutjahr to approve Dr. Moore to draw up a contract for our Fire Chief with a rate of Pay of \$25.00 per hour or a rate of pay of \$52,000.00 per year and give him the title of Fire Chief of the City of Rio Communities. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved Dr. Moore to draw up a contract for our Fire Chief with a rate of Pay of \$25.00 per hour or a rate of pay of \$52,000.00 per year and give him the title of Fire Chief of the City of Rio Communities.

**c) Performance Evaluation of the Municipal Clerk**

- Mayor Ramsell stated there were no recommendations at this time.

**d) Performance Evaluation of the Finance Officer**

- Mayor Ramsell stated there were no recommendations at this time.

**e) the discussion of the purchase, addition or disposal of real property or water rights by the public body**

- Mayor Ramsell stated there were no recommendations at this time.

**Adjourn**

- Motion made by Councilor Winters, Seconded by Councilor Gordon. With a unanimous vote the regular business meeting was adjourned at 9:29 pm.

Respectfully submitted,

\_\_\_\_\_  
Elizabeth F. Adair, Municipal Clerk  
(Transcribed by Lalena Aragon, Deputy Clerk)

Date: \_\_\_\_\_

Approved:

\_\_\_\_\_  
Joshua Ramsell, Mayor

\_\_\_\_\_  
Margaret R. Gutjahr, Mayor Pro-tem/Councilor

\_\_\_\_\_  
Arthur Apodaca, Councilor

\_\_\_\_\_  
Lawrence R. Gordon, Councilor

\_\_\_\_\_  
Jimmie Winters, Councilor



Rio Communities, NM

# Accounts Payable Approval Report

By Fund

Item 1.

Vendor Name	Payable Number	Post Date	Description (Item)	Amount
<b>Fund: 11000 - General Operating Fund</b>				
<b>Department: 1009 - Municipal Court</b>				
Magdalena Giron	INV0004110	05/15/2023	Court Translation services	183.91
Amazon Business	11VH-RXGR-G9CJ	05/17/2023	Courtroom items	669.18
<b>Department 1009 - Municipal Court Total:</b>				<b>853.09</b>
<b>Department: 2002 - General Administration</b>				
Pitney Bowes	3317416695	05/05/2023	Postage Machine Lease	175.68
Garcia & Sons Security	0082	05/09/2023	re-key exterior of building not t...	524.83
USPS	INV0004107	05/09/2023	USPS Bulk Mail Permit	290.00
CIVICPLUS	257250	05/10/2023	Municode meetings annual ren...	3,400.00
Rentokil North America Inc.	45141210	05/10/2023	CH Pest Control	163.42
The Walter Parker Co LLC	15435	05/15/2023	Patch Roof at New Condensor	500.00
H&E Equipment	97296581	05/15/2023	street sweeper	2,905.34
Amazon Business	1CMK-1R16-FNG6	05/17/2023	Janitorial Supplies	61.32
Amazon Business	1NKP-TP1Q-3T3Q	05/17/2023	name plate - Press	15.82
Amazon Business	1NKP-TP1Q-3T3Q	05/17/2023	Name Plate - City Attorney	16.07
Amazon Business	1WXW-DMYF-4RVD	05/17/2023	American, NM, and POW MIA F...	531.91
Wells Fargo Financial Leasing	5024983748	05/17/2023	Contract #8000452181 - CH Ser...	2,497.73
Sharp Electronics Corporation	9004316797	05/17/2023	City Hall Copies	201.02
Sharp Electronics Corporation	90043167995	05/17/2023	Contract #8000595693 - Aquos ...	114.00
Sharp Electronics Corporation	90043167995	05/17/2023	Contract #8000595693 - CH Hel...	171.00
<b>Department 2002 - General Administration Total:</b>				<b>11,568.14</b>
<b>Department: 2004 - Finance/Budget/Accounting</b>				
Amazon Business	1KVG-YKTL-7YXN	05/15/2023	Office Equipment/Supplies	85.82
Amazon Business	1W9K-DFV-DL4K	05/17/2023	Office Equipment/Supplies	133.19
<b>Department 2004 - Finance/Budget/Accounting Total:</b>				<b>219.01</b>
<b>Department: 2014 - Economic Development</b>				
Palmetto LLC	13	05/15/2023	Economic Developement Servic...	3,389.44
<b>Department 2014 - Economic Development Total:</b>				<b>3,389.44</b>
<b>Department: 3001 - Law Enforcement</b>				
Sharp Electronics Corporation	9004316796	05/17/2023	Police Department Printer Lease	919.00
<b>Department 3001 - Law Enforcement Total:</b>				<b>919.00</b>
<b>Department: 3002 - Fire Protection</b>				
Albuquerque Publishing Co.	INV0004108	05/09/2023	Legal Ads - Code Enforcement/...	672.89
Andrew Tabet	INV0004114	05/16/2023	Travel - Albuquerque	160.00
Greg Gallegos	INV0004115	05/16/2023	Travel - Albuquerque	160.00
Kaylee Dons	INV0004116	05/16/2023	Travel - Albuquerque	160.00
Amazon Business	1NKP-TP1Q-3T3Q	05/17/2023	Name Plate - Andrew Tabet - Fi...	16.07
<b>Department 3002 - Fire Protection Total:</b>				<b>1,168.96</b>
<b>Department: 4004 - Library</b>				
Sharp Electronics Corporation	9004316792	05/17/2023	Library Copies	69.23
Sharp Electronics Corporation	90043167995	05/17/2023	Contract #8000595693 - Aquos ...	57.00
Sharp Electronics Corporation	90043167995	05/17/2023	Contract #8000595693 - Library...	150.00
<b>Department 4004 - Library Total:</b>				<b>276.23</b>
<b>Department: 5101 - Public Works</b>				
Neds Pipe + Steel	423044	05/09/2023	Misc. Items for PW	18.26
Woodlands Hardware	010648/1	05/15/2023	PW Supplies	131.08
Woodlands Hardware	010713/1	05/15/2023	PW Supplies	26.97
Able & Willies One Stop Shop, L...	1406	05/15/2023	shirts	518.00
Wagner Equipment Co.	1AC697164	05/17/2023	Hydraulic oil	92.19

# Accounts Payable Approval Report

Item 1.

Vendor Name	Payable Number	Post Date	Description (Item)	Amount
Wagner Equipment Co.	1AC700106	05/17/2023	air filters	296.05
Department 5101 - Public Works Total:				1,082.55
Fund 11000 - General Operating Fund Total:				19,476.42

## Fund: 20200 - Environmental

### Department: 5009 - Environmental

Universal Waste Systems, Inc.	0002172210	05/15/2023	Clean Up Day	363.80
Department 5009 - Environmental Total:				363.80
Fund 20200 - Environmental Total:				363.80

## Fund: 20900 - Fire Protection

### Department: 3002 - Fire Protection

Rentokil North America Inc.	45141364	05/10/2023	FD Pest Control	130.36
Rentokil North America Inc.	45141491	05/10/2023	FD Pest Control	129.07
UniqueFleet, LLC.	21819	05/15/2023	NEXIQ-Program Freightliner Up...	4,844.22
UniqueFleet, LLC.	21872	05/15/2023	2019 RAM -Install easy link & B...	2,509.43
UniqueFleet, LLC.	21873	05/15/2023	2019 RAM/ Install easy link tune..	2,509.43
UniqueFleet, LLC.	21874	05/15/2023	2008 Int. FT wire has short & E...	6,785.68
TLC Uniforms	261169	05/15/2023	Uniforms for Fire Department	1,807.64
Century Link	INV0004111	05/15/2023	Telephone Services Fire Depart...	76.40
Kendal Good	INV0004112	05/16/2023	Travel Ruidoso	90.80
Andrew Tabet	INV0004113	05/16/2023	Travel-Ruidoso	90.80
ABC Door Company	11090219	05/17/2023	A fuze blown outWork done on ...	322.63
Sharp Electronics Corporation	5024983747	05/17/2023	Contract #8000581517 - Fire D...	146.98
Sharp Electronics Corporation	9004316793	05/17/2023	Fire Department Copies	97.53
Sharp Electronics Corporation	9004316794	05/17/2023	Fire Dept Help Desk & Server M...	1,301.00
Sharp Electronics Corporation	90043167995	05/17/2023	Contract #8000595693 - Aquos ...	57.00
Comcast Business	INV0004109	05/26/2023	FD Telecommunications	280.66
Department 3002 - Fire Protection Total:				21,179.63
Fund 20900 - Fire Protection Total:				21,179.63

## Fund: 29700 - County EMS GRT

### Department: 2002 - General Administration

McKesson Medical-Surgical Gov...	20626860	05/10/2023	Medical Supplies	52.44
McKesson Medical-Surgical Gov...	20627698	05/10/2023	Medical Supplies	141.22
McKesson Medical-Surgical Gov...	20611238	05/15/2023	Medical Supplies	105.98
Boundtree Medical	84953555	05/15/2023	Medical Supplies -	404.77
Boundtree Medical	84955153	05/15/2023	Medical Supplies -Tape/sanitize...	12.99
Boundtree Medical	84953554	05/17/2023	Medical Supplies	452.79
Boundtree Medical	84960948	05/17/2023	Medical Supplies	35.76
Department 2002 - General Administration Total:				1,205.95
Fund 29700 - County EMS GRT Total:				1,205.95

## Fund: 30300 - State Legislative Appropriation Project

### Department: 2002 - General Administration

HDR Engineering, Inc.	1200523439	05/17/2023	Subconsultant Mark-Up	65.00
HDR Engineering, Inc.	1200523439	05/17/2023	Task 3 - Preliminary & Final Desi...	19,973.70
HDR Engineering, Inc.	1200523439	05/17/2023	Task 4 - Safety Lighting	13,368.00
HDR Engineering, Inc.	1200523439	05/17/2023	Task 2 - Environmental Clearan...	4,459.50
HDR Engineering, Inc.	1200523439	05/17/2023	Gross Receipts Tax (Albuquerque...	2,819.07
HDR Engineering, Inc.	1200523439	05/17/2023	Task 1 - Project Management	2,370.90
HDR Engineering, Inc.	1200523439	05/17/2023	Task 8 - Subconsultant Terracon	650.00
HDR Engineering, Inc.	1200523439	05/17/2023	Task 6 - Construction Engineeri...	328.76
Department 2002 - General Administration Total:				44,034.93
Fund 30300 - State Legislative Appropriation Project Total:				44,034.93

## Fund: 30400 - Road/Street Projects

### Department: 2002 - General Administration

Cooperative Educational Servic...	24-135142	05/15/2023	Roof Repair - City Hall Quote Da...	28,970.65
HDR Engineering, Inc.	1200523445	05/17/2023	Task 5 - Sub Terracon	1,280.00
HDR Engineering, Inc.	1200523445	05/17/2023	Task 2 - Scoping Report	7,616.10
HDR Engineering, Inc.	1200523445	05/17/2023	Task 3 - Preliminary & Final Desi...	18,688.30

## Accounts Payable Approval Report

Item 1.

Vendor Name	Payable Number	Post Date	Description (Item)	Amount
HDR Engineering, Inc.	1200523445	05/17/2023	Expenses General	289.20
HDR Engineering, Inc.	1200523445	05/17/2023	Subconsultant Markup (Manage...	128.00
HDR Engineering, Inc.	1200523445	05/17/2023	Task 1 - Project Management	1,820.10
HDR Engineering, Inc.	1200523445	05/17/2023	GRT (7.7500%)	2,311.18
Department 2002 - General Administration Total:				61,103.53
Fund 30400 - Road/Street Projects Total:				61,103.53

## Fund: 39900 - Other Capital Projects

## Department: 2002 - General Administration

Roadsafe Traffic Systems, Inc.	0032358-IN	05/15/2023	speed bumps	7,632.70
Roadsafe Traffic Systems, Inc.	0032395-IN	05/15/2023	speed bumps	1,767.20
HDR Engineering, Inc.	1200507142	05/17/2023	Subconsultants - Sureveying & ...	2,016.00
HDR Engineering, Inc.	1200507142	05/17/2023	GRT @ 7.8750%	227.52
HDR Engineering, Inc.	1200507142	05/17/2023	Direct Expenses	919.80
HDR Engineering, Inc.	1200523439	05/17/2023	Gross Receipts Tax (Albuquerqu...	375.16
Construction Coordinators Inc.	1249	05/17/2023	Maker Space & Maker Space O...	12,310.92
Construction Coordinators Inc.	1250	05/17/2023	Police Department Security Wall	725.00
Construction Coordinators Inc.	1250	05/17/2023	GRT 7.8125% Rio Communities	39.06
Department 2002 - General Administration Total:				26,013.36
Fund 39900 - Other Capital Projects Total:				26,013.36
Grand Total:				173,377.62



## Report Summary

## Fund Summary

Fund	Expense Amount
11000 - General Operating Fund	19,476.42
20200 - Environmental	363.80
20900 - Fire Protection	21,179.63
29700 - County EMS GRT	1,205.95
30300 - State Legislative Appropriation Project	44,034.93
30400 - Road/Street Projects	61,103.53
39900 - Other Capital Projects	26,013.36
<b>Grand Total:</b>	<b>173,377.62</b>

## Account Summary

Account Number	Account Name	Expense Amount
11000-1009-55999	Contract - Other Services	183.91
11000-1009-56040	Supplies-Furniture/Fixture...	669.18
11000-2002-54010	Maintenance & Repairs - ...	1,024.83
11000-2002-55030	Contract - Professional Se...	448.42
11000-2002-56010	Software	3,400.00
11000-2002-56020	Supplies - General Office	31.89
11000-2002-56050	Supplies - Janitorial/Main...	61.32
11000-2002-56999	Supplies - Other	531.91
11000-2002-57090	Printing/Publishing/Advert..	201.02
11000-2002-57130	Rent of Equipment/Machi...	2,673.41
11000-2002-57150	Subscriptions & Dues	290.00
11000-2002-57998	City Wide Clean-Up	2,905.34
11000-2004-56040	Supplies-Furniture/Fixture...	219.01
11000-2014-55030	Contract - Professional Se...	3,389.44
11000-3001-57130	Rent of Equipment/Machi...	919.00
11000-3002-53030	Travel - Employees	480.00
11000-3002-56020	Supplies - General Office	16.07
11000-3002-57090	Printing/Publishing/Advert..	672.89
11000-4004-55030	Contract - Professional Se...	207.00
11000-4004-57090	Printing/Publishing/Advert..	69.23
11000-5101-54050	Maintenance & Repair - F...	296.05
11000-5101-56110	Supplies - Uniforms/Linen	518.00
11000-5101-56121	Supplies - Vehicle Lubrica...	92.19
11000-5101-56999	Supplies - Other	176.31
20200-5009-55999	Contract - Other Services	363.80
20900-3002-53030	Travel - Employees	181.60
20900-3002-54010	Maintenance & Repairs - ...	322.63
20900-3002-54040	Maintenance & Repairs - ...	16,648.76
20900-3002-55030	Contract - Professional Se...	1,617.43
20900-3002-56110	Supplies - Uniforms/Linen	1,807.64
20900-3002-57090	Printing/Publishing/Advert..	97.53
20900-3002-57130	Rent of Equipment/Machi...	146.98
20900-3002-57160	Telecommunications	357.06
29700-2002-56070	Supplies - Medical	1,205.95
30300-2002-55030	Contract - Professional Se...	44,034.93
30400-2002-55030	Contract - Professional Se...	32,132.88
30400-2002-58010	Buildings & Structures	28,970.65
39900-2002-55030	Contract - Professional Se...	3,538.48
39900-2002-58010	Buildings & Structures	13,074.98
39900-2002-58999	Other Capital Purchases	9,399.90
<b>Grand Total:</b>		<b>173,377.62</b>

## Project Account Summary

Project Account Key	Expense Amount
**None**	67,099.94

Project Account Summary

Project Account Key	Expense Amount
2023-003-50000	764.06
D19427-50000	32,132.88
D19577-50000	44,410.09
F2947-50000	28,970.65
Grand Total:	<u>173,377.62</u>

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

**Application for a Special Use Permit**  
**City of Rio Communities, NM**

Item 2.

**Instructions**

This application form is required to initiate a special review and approval by the City Planning and Zoning Commission for granting a Special Use Permit (Section 4-7-4, Rio Communities Zoning Ordinance). This form must be completed and submitted with the required administrative fee (Appendix B), Rio Communities Zoning Ordinance) to the Municipal Clerk.

**Applicant Information**

Applicant Name: Lg Merced Moose Lodge  
Mailing Address: 306 Rio Communities Blvd.  
Phone Number: 505-861-1818 Alternate # 505-504-0856

**General Information**

Type of Conditional Use (check as appropriate): If unknown, please don't check any box.

- ☒ Permanent Special Use  
☐ Renewable Special Use

**Location of property that is subject of the request (physical address and legal description):**

306 Rio Communities Blvd., Rio Communities, N.M. 87002  
Tract C2B2B Section 21 T5N R2E NMPM  
Land of Valley Improvement Assoc. 1.45 acres 2006 Rev  
Current zoning of the property: C-2

**Required Attachments**

- 1.A written statement describing existing and future land use of the property with reference to Guidelines in (Article 4-7-4 Rio Communities Zoning Ordinance.)
- 2.A site plan showing location of structures on the property and on contiguous properties, easements and right-of-way, and other relevant information. Proposed future improvements of the property should be indicated if possible.

**Procedural Information**

Signature of Applicant: Alan Salari Date: 2-2-23

Application Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Expiration Date for Renewable Special Use Permit: \_\_\_\_\_

**NOTE: Special conditions assigned to this application must be attached in written form with this application.**

NORTH LOT LINE

Item 2.

43'

3

2

1

15'

Utilities Connects

50'

Electric  
Water  
Waste Water

Electric  
Cool Water

20'

20'

25'

Existing Building

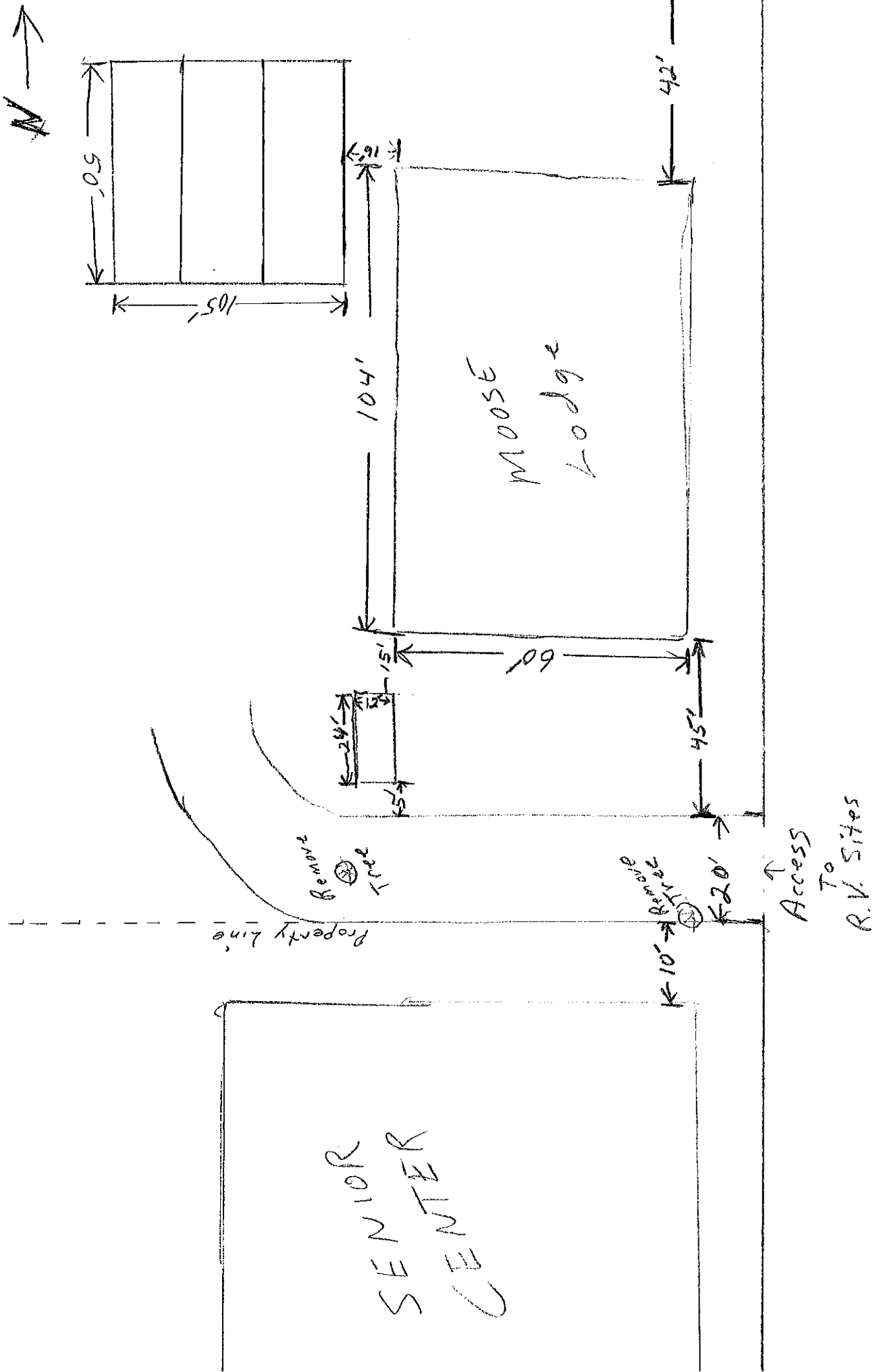
Proposed  
R.V. stalls  
306 Rio Communities, Blvd.  
Rio Communities, NM 87002

N

21

Scale:  $\frac{3}{32}" = 1\text{ft.}$

Feb 2, 2022



**4-7-4 SPECIAL USE PERMIT**

A Special Use permit is required for a specific land use that is not permitted by right within the zone wherein it is requested. A special use permit may be authorized by the City Council after hearing the recommendation of the Commission. Follow rules listed in 4-18-9 and 4-18-10 for notification and posting.

**A. Provision for a Special Use Permit**

1. The proposed use must be unusual and unique and may be incompatible with planned property uses within the general area and zone in which the special use is proposed.
2. Special Use permits shall not be granted in such cases where it would adversely affect adjoining property values, or endanger public safety.
3. Special Use permits shall not be granted in such cases where the use is or will become detrimental to the character of the zone wherein it is located.
4. Special Use permits do not follow the land, but expire when the special use stops and/or a new owner takes possession of the property. The new owner of the property may reapply for a new permit.

**B. Application Requirements**

The application format for a Special Use permit shall be in the format stipulated by the City. There shall be a comprehensive statement included with each application stating in detail, the reason for the request, the purpose and the use of the property, all improvements to be made and a site plan that includes the following:

1. Location of existing and proposed structures including the dimensions of setbacks;
2. Existing and proposed vehicular circulation systems, including parking areas, storage areas, service areas, loading areas and major points of access, including street pavement width and right-of-ways;
3. Location and treatment of open spaces including landscaping plan and schedule;
4. Lighting and Appropriate Signage;
5. A drainage plan, site plan, landscaping plan and grading plan shall be required for all special use developments.

**C. Notification Public Hearing and Notice Procedure for Special Use Permit**

Follow rules listed in 4-18-9 and 4-18-10 for notification and posting.

## ARTICLE 6 STANDARDS FOR DEVELOPMENT

- 4-6-1 GENERAL STANDARDS FOR DEVELOPMENT
- 4-6-2 ZONING STANDARDS
- 4-6-3 RESIDENTIAL ZONES, EXCEPTIONS AND PROVISIONS
- 4-6-4 COMMERCIAL AND LIGHT INDUSTRY, EXCEPTIONS AND PROVISIONS
- 4-6-5 MOBILE HOME SUBDIVISIONS AND PARKS, PROVISIONS AND EXCEPTIONS
- 4-6-6 DEVELOPMENT IN FLOOD PLAIN AREAS
- 4-6-7 HEIGHT EXCEPTIONS
- 4-6-8 LANDSCAPING AND EROSION CONTROL
- 4-6-9 GRADING, DRAINAGE AND SITE PLANS

### 4-6-1 GENERAL STANDARDS FOR DEVELOPMENT

#### A. Purpose

All structures, buildings, lots and tracts that fall within the City boundaries shall be developed as described in this Article and any related Article of this Code. All the development standards within this Code shall apply to any tract, lot or parcel independent of any other tracts, lots or parcels.

### 4-6-2 ZONING STANDARD

#### A. Standard Setbacks

Zone Type	Minimum Front Offset	Minimum Rear Offset	Minimum Side Offset
R-1 *	<u>20</u> -feet	<u>10</u> -feet	<u>5</u> -feet
R-2 *	<u>20</u> -feet	<u>10</u> -feet	0 to 5-feet
MH-1	<u>20</u> -feet	<u>10</u> -feet	10-feet
MH-2	See Manufactured Home Standards		
C-1	<u>20</u> -feet	<u>10</u> -feet	0 to 5-feet
C-2	<u>20</u> -feet	<u>15</u> -feet	0 to 5-feet
C-3	<u>20</u> -feet	<u>15</u> -feet	0 to 5-feet
* I-1/I-2 & I3	Requires Planning & Zoning Approval		

\* For infill lots in existing neighborhoods, the setback should be equal to or more than the houses on that block.



5. A minimum setback of seven and one-half feet (7' 6") for a two or three story building shall be enforced.
6. The minimum setback distance shall be maintained for both front yards of a corner lot. A lesser setback for one front yard of a triple frontage lot shall be considered for a variance by the Commission.
7. Any new dwellings may be erected as close to the front property line as the average distance established by existing dwellings on that side of the block, assuming the lots on that side are fifty (50) percent or more developed.

**B. Front Yard Parking**

1. Front yard parking is permitted, provided the area shall occupy not more than one-third (1/3) of any open area between the front property line and the front of the dwelling.
2. Homes located on a cul-de-sac may reserve two-thirds (2/3) of a front yard for parking.
3. Where lots are less than fifty (50) feet in width, a twenty (20) foot wide parking area is permitted.
4. Any parking area within an R-2 Zone shall not cover more than three fourths (3/4) of the front yard.

**C. Minimum Distance Between Structures**

There shall be no less than ten (10) feet between structures or buildings located on the same tract, lot or parcel or three (3) feet, if covered on side adjacent to another structure by a 2-hour fire rated material.

**D. Easement Encroachments**

There shall be no temporary or permanent structures placed on any easement without written approval by the Commission.

**4-6-4 COMMERCIAL (C-1, C-2 & C-3) AND INDUSTRIAL (I-1/I-2 AND I-3) ZONES - EXCEPTIONS AND PROVISIONS**

- A.** All development in any commercial or light industrial zone shall comply with the following provisions:
1. A minimum setback of seven and one-half feet (7'-6") for any building of thirty (30) feet or more in height.



**City of Rio Communities Planning and Zoning Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Thursday, April 06, 2023 4:00 PM**  
**Minutes**

*Please silence all electronic devices.*

### **Call to Order**

- Vice Chairman Adair called the meeting to order at 4:07 pm.

### **Pledge of Allegiance**

- Vice Chairman Adair led the Pledge of Allegiance.

### **Roll Call**

- PRESENT: Vice Chairman Scott Adair, Secretary Melodie Good, Commissioner Adelina Benavidez.  
 ABSENT: Chairman Thomas Scroggins, Commissioner Chad Good
  - City Manager Martin Moore, Municipal Clerk Elizabeth Adair, Deputy Clerk Lalena Aragon.

### **Approval of Agenda**

- Motion made by Commissioner Benavidez to approve the agenda as written. Seconded by Secretary Good. With a unanimous vote the agenda was approved.

### **Approval of Minutes for the Business Meeting (03/16/23)**

- Motion made by Secretary Good to approve the minutes for 03/16/2023. Seconded by Commissioner Benavidez. With a unanimous vote the Minutes were approved as written.

### **Motion and roll call vote to recess Planning and Zoning Meeting session and to go into Public Hearing**

- Motion made by Commissioner Benavidez. Seconded by Secretary Good. Voting Yea: Vice Chairman Adair, Secretary Good, Commissioner Benavidez. With a 3-0 vote the Commission went into a public hearing at 4:10 pm.

### **Public Hearing - For the purpose of 306 RIO COMMUNITIES BLVD Rio Communities NM, 87002 Legal Description: UPC 1009027450355000000 Subd: LAND OF VALLEY IMPROVEMENT ASSOC Tract: C2B2B 1.45 ACRES 2006 REV: The nature of the application is concerning the request for three RV sites on this property.**

- **Consideration of the request for three RV sites on this property**
  - Clerk Adair swore in the speakers for the Moose Lodge.
  - Vice Chairman Adair talked about the special use application and that the Moose Lodge wish to install three RV sites in the back of their property. One will be for security purposes, the other two for the traveling members of the Moose Lodge.

- Allen Sinclair Pro tem administrator for the Moose Lodge and explained that he is the one who applied for the special use permit and zoning variance. Because we have a Moose member in good standing for years who wants to be a security man back there. He's got his fifth wheel and he will be our permit onsite security and maintenance man. We are asking for two more sites so when we have special events and traveling members from other lodges come in, they will bring in an RV, they will have a place to stay and not have to drive across town to find a hotel room. It is for the convenience of our members, and I believe it will be for the good of the community. Other traveling members would come in and see our little community here and how we operate.
- Vice Chairman Adair asked how you are going to connect utilities.
- Sinclair answered we have members that are electricians, plumbers they are going to do the labor for us. We have a member with a backhoe for trenching and it will be inspected by the state.
- Vice Chairman Adair asked about sewage.
- Mr. Sinclair answered it is also will be connected and we will tell the people there can be no chemicals in their sewage before they come here, they will have to drain their holding tanks.
- Vice Chairman asked when you think this will be up and running.
- Sinclair said as soon as we can get this all approved. When need to do a little leveling and some trenching.
- Vice Chairman Adair asked it is asphalt in the back right.
- Sinclair said no it is dirt. We are going to put crusher fines so it will be packed down nice and tight.
- Manager Dr. Moore asked how you plan the RVs to get in and leave the site.
- Mr. Sinclair showed them a map and explained they have an option to go in on the south side of our building and their access road on the side of the property.
- Vice Chairman Adair asked if there will be a fence.
- Sinclair answered yes, we are going to put a fence along our property line.
- Commissioner Benavidez asked if there will still be access to the senior center.
- Mr. Sinclair answered yes and explained on the map that there will still be access to the senior center.
- Manager Dr Moore asked the width of the driveway.
- Mr. Sinclair answered it will be about 16 ft two parking spaces.
- Ken Salmon past lodge president I just wants the city to be aware that we do want to build this but there will not be a whole lot of RVs going back there our T or C lodge has RV sites and you might get one every couple of months. We are trying to make it convenient if we have an event and a member chooses to bring an RV. There won't be a whole lot of traffic.
- Chairman Adair said so they are bringing RVs you are not supplying them with the RV.
- Mr. Salmon said they will bring in their own RV and we are not supplying them.
- Ron Gentry, I own a lot of property in the city one of the properties I own is the one next door to the two-story building. I just want them to make sure they know that they need to use their property. I just want to make sure the Moose knows that it isn't a public road in the back. The problem is that people sometimes don't realize it isn't a public road, it is a parking lot for parking in the back just like in the front. I just want it to be

sure they know it isn't a public road and it looks like they do, and it isn't going to be an issue. That is all I wanted to say.

### **Motion and roll call vote to go back into Planning and Zoning Meeting session**

- Motion made by Secretary Good. Seconded by Commissioner Benavidez. Voting Yea: Vice Chairman Adair, Secretary Good, Commissioner Benavidez. With a 3-0 vote the Commission went back into Regular planning and zoning meeting at 4:21pm.

### **Discussion, Consideration, and Decision – Recommendation to move to Council applicant La Merced Moose Lodge**

- Motion made by Commissioner Benavidez to recommend approving. Seconded by Secretary Good. Voting Yea: Vice Chairman Adair, Secretary Good, Commissioner Benavidez. With a 3-0 vote the recommendation to approve will go to council.
- Manager Dr. Moore recommends a driveway width of 20 ft.
- Mr. Sinclair said we can do that.
- Clerk Adair asked if we could get the plans that are revised that it is going to be the 20 ft. driveway.
- Mr. Sinclair said he would bring the updated plans to city hall on Monday.

### **Discussion, Consideration, and Decision – To cancel the April 20, 2023 meeting due to staffing issues**

- Manager Dr. Moore explained that the clerk's office will be at clerks training that happens every spring, and they will not be able to conduct the meeting on April 20, 2023.
- Motion made by Secretary Good to cancel the April 20 meeting. Seconded by Commissioner Benavidez. Voting Yea: Vice Chairman Adair, Secretary Good, Commissioner Benavidez With a 3-0 vote the April 20<sup>th</sup> meeting was cancelled.

### **Discussion – Comprehensive Plan**

- Secretary Good said let's plan on working on the comprehensive plan at the May 4<sup>th</sup> meeting.

### **Public Comment:**

- No public comments

### **General Commission Discussion/Future Agenda Items**

- Clerk Adair talked about having a joint meeting with the council on May 18, 2023. Right after the regular planning and zoning meeting.
- Secretary Good asked if they would know for sure on the May 4<sup>th</sup> meeting if it is a go.
- Clerk Adair said yes.
- Manager Dr. Moore Explained that they haven't had a joint meeting in awhile and it is recommended.

**Adjourn**

- Motion made by Commissioner Benavidez to adjourn. Seconded by Secretary Good. With a unanimous vote the planning and zoning meeting was adjourned at 4:35pm.

Respectfully submitted,

\_\_\_\_\_  
Elizabeth F. Adair, Municipal Clerk  
(Taken and transcribed by Lalena Aragon, Deputy Clerk)

Date: \_\_\_\_\_

Approved:

\_\_\_\_\_  
Thomas Scroggins, Chairman

\_\_\_\_\_  
Scott Adair, Vice Chairman

\_\_\_\_\_  
Melodie Good, Secretary

\_\_\_\_\_  
Adelina (Lina) Benavidez, Commissioner

\_\_\_\_\_  
Chad Good, Commissioner

## CITY OF RIO COMMUNITIES ORDINANCE 2023 – (86)

### 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



ORDINANCE No. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF RIO COMMUNITIES AMENDING THE ZONING CODE OF THE CITY OF RIO COMMUNITIES. AMENDING THE PERMITTED USES IN THE I-3 HEAVY INDUSTRIAL ZONING DISTRICT; AMENDING THE SPECIAL USES IN THE I-3 HEAVY INDUSTRIAL ZONING DISTRICT; ADOPTION PROHIBITED USES IN THE I-3 HEAVY INDUSTRIAL ZONING DISTRICT.

**BE IT ORDAINED** by the Governing Body of the City of Rio Communities, New Mexico

#### **SECTION 1: RECITALS**

WHEREAS, Recent public hearings have demonstrated the need to revisit whether, or not to what extent certain heavy industries should be located within the City of Rio Communities; and

WHEREAS, Public sentiment in recent public hearings has clearly demonstrated that the public does not support the location and operation of certain heavy industrial activities in the City of Rio Communities; and

WHEREAS, This ordinance is adopted to protect the health, safety, and welfare of the community as it relates to the location and operation of certain heavy industries within the City of Rio Communities by imposing certain time, place, manner and other reasonable restrictions on industrial activities.

#### **SECTION 2: HEAVY INDUSTRIAL (I-3) Permitted Use: Section 4-3-10.C**

Section 4-3-10.C(7) is deleted in its entirety.

#### **SECTION 3: HEAVY INDUSTRIAL (I-3) Special Use: Section 3-4-10.E**

Section 4-3-10.E(1) is amended by adding the words "Temporary Use Only Not to Exceed 90 days"

Section 4-3-10.E(3) is deleted in its entirety.

Section 4-3-40.E(4) is deleted in its entirety.

#### **SECTION 4: HEAVY INDUSTRIAL (I-3) Prohibited Uses: Section 3-4-10.F**

A new section 3-4-10.F is adopted as follows:

F. PROHIBITED USES I-3 PROHIBITED USES ARE NOT ALLOWED IN AN I-3 ZONE. THESE PROHIBITED USES INCLUDE:

1. Petroleum or liquefied petroleum gas bulk plants.
2. Facilities for production of oil, natural gas, geothermal resources or other hydrocarbons.

#### **SECTION 5: ANNEXATION PROCEDURES Section 4-14-3**

Section 4-14-3.A is amended to read as follows:

"All proposed petition-method annexations shall be submitted to the Planning and Zoning Commission for review and written recommendation based on the approval criteria set forth in Subsection 4-14-8 of this Article. In the course of the review, the Commission shall make complete findings of fact on all applications. The Commission shall not rule on the economic feasibility of any development proposed in an annexation master plan."

#### **SECTION 6: ZONING AND MAP AMENDMENTS Section 4-15-1**

Section 4-15-2.B is amended to read as follows:

After receiving a request for text amendment or zone map change, the Planning and Zoning Commission shall consider the request and make written recommendations to the City Council regarding the request. The Commission will consider all aspects of the request and balance the need for change against the impact of the request on affected properties. The Commission shall consider whether the proposed text or map amendments are consistent with the Comprehensive Plan. The request for a text amendment or zone map change, including the Commission recommendation will be brought before the City Council for Public Hearing. The City Council will decide based upon the evidence presented at the Public Hearing. The City Council may amend, repeal, or supplement any portion of the Code or Map.

Section 4-15-2.C is amended to read as follows:

Requests for change of either the Code or Map by a landowner will be forwarded to the City Planning and Zoning Commission. All pertinent data must be enclosed with the request. Additional information may be requested by the Commission. The Planning and Zoning Commission will schedule a public meeting with the applicant that will serve to enhance their understanding of the impact of the request. The Commission shall consider whether the proposed text or map amendments are consistent with the Comprehensive Plan. The Commission shall prepare a written recommendation to the City Council.

## **SECTION 7: PLANNING AND ZONING HEARING POSTING Section 4-18-9**

The Catchline of the of this section is amended to add the words "Notice Requirements" after "Hearing" and delete the word "Posting."

Section 4-18-9.A is amended to read as follows:

- A. Applications for a conditional use permit, require a public hearing before the Planning and Zoning Commission. Notice of Commission consideration of a Conditional Use Permit shall be conspicuously posted for public scrutiny and comment at six (6) public locations throughout the City and on the city webpage. Notice of the time and place of the public hearing shall be published, at least fifteen days prior to the date of the hearing. Following the Public Hearing, the Commission may approve, approve with conditions, deny, continue or defer the request. The Commission must base its decision upon the evidence presented at the Public Hearing.

## **SECTION 8: CITY COUNCIL HEARING POSTING Section 4-18-9**

The Catchline of the of this section is amended to add the words "Notice Requirements" after "Hearing" and delete the word "Posting."

Section 4-18-9.B is amended to read as follows:

4-18-9.B (1) Application for special use permits, variances, zoning ordinance text amendments, annexation, or zoning map amendments require consideration by the Planning and Zoning Commission prior to submission to the City Council for Final Approval.

4-18-9.B(2) Notice of the Commission meeting shall be in accordance with Section 4-18-9.A above. The Commission shall consider all aspects of the request and balance the need for change against the impact of the request on affected properties. The Commission shall consider whether the proposed special use permit, variance, text or map amendments are consistent with the Comprehensive Plan. The Commission will prepare its written report including recommendations to the City Council.

4-18-9.B(3) Notice of the time and place of the public hearing before the City Council shall be published, at least fifteen days prior to the date of the public hearing City Council.

4-18-9.B(4) Whenever a change in zoning is proposed for an area of one block or less, notice of the public hearing shall be mailed by certified mail, return receipt requested, to the owners, as shown by the records of the county treasurer, of lots of land within the area proposed to be changed by a zoning regulation and within one hundred feet, excluding public right-of-way, of the area proposed to be changed by zoning regulation.

4-18-9.B(5) Whenever a change in zoning is proposed for an area of more than one block, notice of the public hearing shall be mailed by first class mail to the owners, as shown by the records of the county treasurer, of lots or [of] land within the area proposed to be changed by a zoning regulation and within one hundred feet, excluding public right-of-way, of the area proposed to be changed by zoning regulation.

4-18-9.B(6) The City Council shall conduct a public hearing on the proposed special use permit, variance, text or map amendment. Following the public hearing, the City Council may approve, approve with conditions, deny, continue or defer the request.

4-18-9.B(7) The City Council shall issue a written order including its Findings of Fact based upon the record of the public hearing conducted by the Council.

**PASSED, ADOPTED, AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

**City of Rio Communities Governing Body**

\_\_\_\_\_  
Joshua Ramsell, Mayor

\_\_\_\_\_  
Margaret R. Gutjahr,  
Councilor, Mayor Pro-tem

\_\_\_\_\_  
Arthur Apodaca,  
Councilor

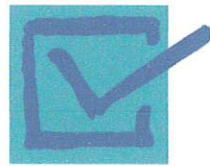
\_\_\_\_\_  
Lawrence Gordon,  
Councilor

\_\_\_\_\_  
Jimmie Winters,  
Councilor

ATTEST:

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Elizabeth F Adair, Municipal Clerk



ONCE a DAY  
MARKETING™  
INSPIRING IDEAS INSIDE

**Rio Communities  
Outdoor Recreation Economy  
Support Proposal  
March 6, 2023**

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## OVERVIEW

Once a Day Marketing LLC (OaDM) is excited to offer Rio Communities our proposal to support development of the outdoor recreation (OR) economy in the community. We will work with Rio Communities to identify and engage partners and stakeholders and create a work plan for you to continue development of this new facet of economic growth. Engaging the outdoor recreation (OR) industry is a positive step to enhance and diversify the local economy, improve offerings to visitors and enrich quality of life for residents. Please see the graphic on page 2 that highlights the community benefits of outdoor recreation.

Further, with OR now a high priority for the State of New Mexico, Rio Communities does not have to take this journey alone but rather can embrace regional, statewide and national activities and identify opportunities that will benefit Rio Communities outdoor recreation goals.

Building a sustainable OR industry is comprised of two parts: 1) enhancing outdoor recreation offerings & experiences (e.g., health/fitness, tourism, infrastructure) and 2) attracting more guides, outfitters, outdoor gear manufacturers, OR event promoters (e.g., job creation, economic development). Rio Communities must identify the best ways to leverage resources to create quality of life/place while launching more businesses and jobs to expand this economic sector.

Rio Communities Project Goals include:

**Outdoor Recreation Assets and Opportunities** – identify Rio Communities OR assets and opportunities to advance the outdoor recreation economy

**Outdoor Recreation Stakeholder Meeting** – convene an initial meeting with identified stakeholders & partners, prioritize actions/tasks required to move the OR initiative forward, and determine best approach for stakeholders to work together

**Outdoor Recreation Economy Work Plan** – utilizing research captured above, create a work plan for Rio Communities to develop its OR economy

Once a Day Marketing is ideally suited to accomplish these goals for Rio Communities. We are immersed in the state and national outdoor recreation economy and fully committed to supporting efforts to expand the OR economy. OaDM partners created/managed the City of Farmington's Outdoor Recreation Industry Initiative (ORII) and united the region around OR; prepared OR feasibility studies for Farmington, Bloomfield and Los Lunas; launched and now manage the New Mexico Outdoor Recreation Business Alliance (endeavOR New Mexico); established strong ties with nation's leading OR organizations; and contributed content to the Outdoor Recreation Roundtable (ORR) Rural Economic Development Toolkit. We also bring our expertise supporting the strategic branding initiatives for many communities.

Our team knows *outdoor recreation, branding, marketing, economic development, tourism as well as strategic planning* and is excited by the opportunity to support the efforts to shape the future of Rio Communities outdoor recreation industry. Thank you in advance for your consideration.



## SCOPE of WORK

To achieve the project goals outlined above, OaDM will work closely with Rio Communities during the implementation of the project. The following section outlines the tasks and deliverables that OaDM will complete during the project.

**Outdoor Recreation Assets and Opportunities** – identify Rio Communities OR assets and opportunities to advance the economy

- Identify stakeholders
- Work with Rio Communities city staff to complete 14 questions in the Recreation Economies for Rural Communities (RERC) assessment
- Summarize findings

**Outdoor Recreation Stakeholder Meeting** – convene an initial meeting with identified stakeholders & partners, prioritize actions/tasks required to move the OR initiative forward, and determine best approach for stakeholders to work together

- Working with Rio Communities, secure location and date for stakeholder meeting
- Develop meeting agenda and priorities
- Support efforts to invite guests to the meeting
- Facilitate Rio Communities meeting to generate excitement for OR efforts
- Provide overview of OR initiative and capture meeting input and comments
- Utilize ORR Toolkit and assess 15 best practices to build a thriving OR community
- Summarize findings

**Outdoor Recreation Economy Work Plan** – utilizing research captured above, create a work plan for Rio Communities to develop its OR economy

- Utilizing input captured at OR stakeholder meeting, analyze data and report findings
- Share and discuss findings with Rio Communities and prioritize strategic direction
- Prepare work plan for Rio Communities to follow to advance OR economy
- Deliver actionable work plan

(Intentionally left blank)

## PROJECT TIMELINE

We estimate that three months will be required to complete an assessment of the Rio Communities outdoor recreation economy and stakeholders & partners and prepare a work plan. The timeline below summarizes scope of work activities which will commence upon an agreement between Rio Communities and Once a Day Marketing being executed.

ACTIVITY	MONTH		
	One	Two	Three
Identification of stakeholders / outdoor recreation assessment			
Preparation and facilitation of OR stakeholders meeting			
Development of Rio Communities OR work plan			

## FEES

The purpose of this project is to engage with outdoor recreations partners & stakeholders in Rio Communities and surrounding area. Assessing their needs and priorities are the crucial first steps in working together to enhance and expand the outdoor recreation economy and amenities in the region. It will provide clarity around where Rio Communities may want to focus economic development resources and how to work together moving forward.

The budget for the scope of work outlined above:

DELIVERABLE	BUDGET
Stakeholder identification and OR assessment	\$15,000
Facilitation of initial stakeholder & partner meeting	
Development of a Rio Communities OR work plan	
Travel time to Rio Communities (3-hr RT @\$75/hr. x 2 team members)	1,350
Mileage – 3 visits to Rio Communities	350
Meals while in Rio Communities	120
GRT	1,145
Total Cost	<b>\$17,965</b>

Appropriate New Mexico Gross Receipts Sales Tax is included in the total fee of \$17,965. We will invoice work as follows:

- \$5,988 – end of month 1
- \$5,988 – end of month 2
- \$5,989 – upon completion of the workplan

Rio Communities will be billed for any reasonable travel expenses including meals and accommodations, as required. Mileage will be charged at the appropriate IRS rate. These costs for three visits to Rio Communities are included in this proposal. Any additional visits to the community or other charges must be pre-approved by Rio Communities prior to actual expenditure and reimbursement submittal.

**OPTIONAL Scope of Work and Fees** – OaDM understands that Rio Communities is evaluating the purchase of the Tierra del Sol Golf Course. Partner James Glover supported the effort to brand and market Sierra del Rio Golf Course in Elephant Butte when it first opened. Through our work with cities and counties across the state, OaDM has strong ties with numerous municipal golf courses. For an additional fee of \$5,000 + GRT, OaDM will analyze municipal golf course operations and report on the benefits, costs and risks of owning and managing a public golf course.

## CONCLUSION

Once a Day Marketing appreciates the opportunity to support the growth of the outdoor recreation economy with Rio Communities. We understand the importance of this effort to enable the Rio Communities to expand outdoor recreation economy, enhance OR experience, increase local pride, and improve quality of life for the community.

Thank you for considering the services of our team. We look forward to assisting you to create a new outdoor recreation economy in Rio Communities.

## CONTACT INFORMATION

### Once a Day Marketing LLC

James Glover  
505.501.1330  
[glover@onceadaymarketing.com](mailto:glover@onceadaymarketing.com)

Marianne Tenenbaum  
505.699.7849  
[mten@onceadaymarketing.com](mailto:mten@onceadaymarketing.com)





## CITY OF RIO COMMUNITIES

360 Rio Communities Blvd.  
Rio Communities, NM 87002  
505-861-6803  
[www.riocommunities.net](http://www.riocommunities.net)

May 2, 2023

Dear Medical Provider,

As a new city (10 years old), we invite you to join our beautiful community. The following are some of the distinct advantages to locating your practice in Rio Communities.

- We have spectacular views of the Manzano Mountains and the Rio Grande River.
- The city is a central artery to southern Valencia County communities that are without medical facilities. Our population approaches 5,000 residents (50% working families/ 50% retired), with over 20,000 people in nearby unincorporated subdivisions.
- These nearby communities include, but are not limited to, the eastern side of Belen, the Village of Mountainair, Tome, Jarales, Salomon Estates, Tierra Grande, Veguita, Los Maravillas, La Joya, and Tierra Grande.
- The bulk of available lands/properties are in a federally designated Opportunity Zone (which provides abatement of Capital Gains Taxes for investors).
- Within Rio Communities there is an existing vacant building, retrofitted for medical offices.
- There are no 24-hour medical facilities in Valencia County, and no medical practice in the City of Rio Communities, with most patients being taken to Albuquerque for treatment.
- The City of Rio Communities progressively promotes economic development and residential business attraction, with willingness to discuss possible incentives.
- We offer a streamlined zoning and building plan approval process.

Thank you for strongly considering the endless opportunities we have to offer your practice. Direct inquiries to Dr Martin Moore (City Manager) at (505) 861-6803, or email [mmoore@riocommunities.net](mailto:mmoore@riocommunities.net); or Ralph L. Mims, Economic Development Consultant at (505) 362-3193 or email [info@rmimsworldgroup.com](mailto:info@rmimsworldgroup.com).

Respectfully,

### City of Rio Communities Governing Body

\_\_\_\_\_  
Joshua Ramsell, Mayor

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Margaret R. Gutjahr, Mayor Pro-tem

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Arthur Apodaca, Councilor

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Lawrence R. Gordon, Councilor

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Jimmie Winters, Councilor