



**City of Rio Communities Council Special Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Friday, December 29, 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**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF CONSENT AGENDA**
  - A. REGULAR BUSINESS MEETING MINUTES**
    - I. SPECIAL BUSINESS MEETING – NOVEMBER 29, 2023**
    - II. REGULAR BUSINESS MEETING – DECEMBER 11, 2023**
    - III. JOINT SPECIAL WORKSHOP WITH PLANNING & ZONING – DECEMBER 12, 2023**
  - B. ACCOUNTS PAYABLE**
- 6. PUBLIC COMMENT**

*If you wish to speak during the public comment session, the Council will allow each member of the public three (3) minutes to address the Council. Both the public and Council will follow rules of decorum. Please state your name and where you live. The public shall direct comments to the Mayor. Comment(s) will not be disruptive or derogatory.*
- 7. MANAGER REPORT**
  - A. CHAMARTIN & SAN LUCAS NMDOT DRAINAGE PROJECT**
  - B. ZONING CODE UPDATE**
- 8. COUNCIL DISCUSSION**
- 9. DISCUSSION, CONSIDERATION, AND DECISION – APPOINTMENT TO FILL VACANT PLANNING & ZONING COMMISSION SEAT**
- 10. DISCUSSION, CONSIDERATION, AND DECISION – TO INCREASE DEPUTY CLERK, PUBLIC WORKS SUPERVISOR AND PUBLIC WORKS WORKER FROM 35 HOURS A WEEK TO 40 HOURS A WEEK**
- 11. DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-25, ANNUAL BUDGET AMENDMENT #01 (FISCAL YEAR ENDING JUNE 30, 2024)**
- 12. DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-26, TRAVEL POLICY**
- 13. DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-27, OPEN MEETINGS ACT**
- 14. DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-28, GOVERNING BODY CODE OF CONDUCT**
- 15. DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-29, OFFICIAL HOLIDAYS**
- 16. DISCUSSION, CONSIDERATION, AND DECISION – CONSULTING SERVICES FOR MUNICIPAL CLERKS OFFICE**
- 17. DISCUSSION, CONSIDERATION, AND DECISION – AGREEMENT BETWEEN VALENCIA COUNTY AND THE CITY OF RIO COMMUNITIES FOR THE PURPOSE OF PROVIDING HOUSING AND CARE OF ADULT PERSONS ARRESTED BY THE CITY OF RIO COMMUNITIES OR SENTENCED TO DETENTION OR CONFINEMENT PURSUANT TO THE JURISDICTION AND AUTHORITY OF THE CITY OF RIO COMMUNITIES MUNICIPAL COURT**
- 18. DISCUSSION, CONSIDERATION, AND DECISION –INTERGOVERNMENTAL SERVICES AGREEMENT BETWEEN THE COUNTY OF VALENCIA AND THE CITY OF RIO COMMUNITIES FOR LAW ENFORCEMENT PROTECTION**
- 19. ADJOURN**

Please join us from the comfort and safety of your own home by entering the following link: @

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



**City of Rio Communities Council Special Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Wednesday, November 29, 2023 6:00 PM**  
**Minutes**

*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**

Mayor Ramsell called the meeting to order at 6:32pm.

**Pledge of Allegiance**

Councilor Gorden led the Pledge of Allegiance

**Roll Call**

PRESENT

Governing Body

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

Staff

Manager Dr. Martin Moore  
Deputy Clerk Lalena Aragon  
Finance Officer Stephanie Finch  
Fire Chief Andrew Tabet  
Attorney Randall Van Vleck  
Police Chief Felix Nunez

**Approval of Agenda**

Motion made by Councilor Gorden to approve the agenda as presented. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

**SWEARING IN OF POLICE OFFICER**

Chief Nunez said this is a great day for the Rio Communities police department and for the city. We hired our first Police Officer Jose Rodriguez and an administrative assistance Emma Sanchez. He introduced Emma Sanchez and said she goes above and beyond and gives 110% for the department and the city. He then introduced Jose Rodriguez as our first officer and will always be our first hire, he is going to start the trend. It is exciting and emotional to watch this to see them blossom, as a police officer we always hear negative and having your family here to support you is important. Judge Chavez swore in Officer Rodriguez. Mayor Ramsell presented Officer Rodriguez with his badge. Members of the community welcomes Jose Rodriguez.

**PUBLIC HEARING- CONSIDERATION OF ORDINANCE NO. 2023-92, AN ORDINANCE SUPERSEDING OR REPEALING ORDINANCE NO. 2023-88, CHAPTER 04 ZONING CODE**

**MOTION AND ROLL CALL VOTE TO RECESS SPECIAL BUSINESS MEETING AND GO INTO PUBLIC HEARING**

Motion made by Councilor Gorden to recess the special business meeting and go into a public hearing. Seconded by Mayor Pro-tem Gutjahr at 6:44pm.

Voting Yea:

Mayor Pro-Teem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote at 6:44pm.

Dr. Moore explained the reason for the public hearing and talked about the changes that needed to be made. We do have some applications that we know that are going to be penning in front of the city. Walking through the Planning and Zoning committee and then to the City Council. Because of conflicts that I have seen in the documents that none of them read the same. We have made some changes that were not in it. One concern was we had the same process on two levels, and we wanted to make sure the public's concerns were heard. We also had three different documents on our website and need to clean this mess up. Dr. Moore continued to explain the changes that were made to the Ordinance. He recommended that whoever the deciding body is should have the public hearing. He then explained that a public forum is a more open dialog than a public hearing. Dr. Moore said this is a standing document and we want to make sure we are putting what the residents said they want in this document.

Mr. Van Vleck explained echoing what Dr. Moore said a zoning ordinance should be a vibrant living document once it becomes stale it becomes useless and troublesome. This is a work in progress, and we are playing catch up, bringing it up to speed and making sure it is legally defensible as well as giving the public an opportunity to participate in the process. Mayor Ramsell swore in members of the public that signed up to speak.

Linda Quinly, my concern is the appearance of the ordinance 92 removed the public hearing and am glad to hear that it will a public forum. She continued to go over the wording on the document and errors she had seen. My next concern was that at the Planning and Zoning meeting on November 17<sup>th</sup> Playa group gave a pre-presentation and when I looked at the website, I didn't see anything about it, so if that is something we can work on when you get a new clerk hired.

Mr. Vanvleck said that it will still be a two-step process, one will be a forum and the next will be the public hearing.

Kathy Mc Cord I came here to talk about business manufacturing and I3. I am with the coalition of Valencia County Water Watchers Rio Communities alliance. We are thankful you are aware of the problems. There are a lot of questions on the buffer zone and what definition of light manufacturing

will be allowed. It also says there will be no toxic or hazardous releases, how will this limitation be monitored and how will you enforce it to the boundary line. Talking about other permitted and conditional uses needs to be clearer about what is allowed. There are also more edits that need to be looked at.

Helen Smith we kind of thought this was going to be a different kind of public hearing and after reading the ordinance it needs a lot of changes, it is important for the people to know that something won't happen while there is a gap in the regulations and if there are applications is there a time limit. Betsie Ramsell, thank you for being upfront and acknowledging the mistake and letting the public know that there was a mistake and letting the public come and listen to what we have today. I also want to thank you for letting the public come and voice their concerns about what was in the ordinance that was passed was what everyone was concerned about. Ester Reyes, I agree with the transparency and thank you for listing. I was alarmed when I saw the document and it is concerning to see that there is still I3 in the ordinance and I do not like to see that.

Mrs. Reyes explained that Rio Communities is in the 87<sup>th</sup> percental for claimant change, we cannot allow any of these heavy manufacturing that is still in out ordinance in the city limits or within our annexation. When it comes to the citizens of Rio Communities, I urge you to say no.

Edward Gallegos I just want to make a statement, and all this has to do with Yates, and I have a couple of questions about the prohibited uses in the city of Rio communities and there will be no I3 zone is allowed the city limits unless otherwise noted 42-5.

Ron Gentry I have been a resident of Rio Communities proper for many years and a local businessman and have a lot of property I have served in City Council and State Legislator the things I am concern is if you read this stuff that comes out, I can't figure out what is going on with your website. My problem is sometimes centralization of power is not a good idea. I know council is the final vote and make the decision I am not sure that the council should be the one that should be having the hearings you have other departments. Planning & Zoning is the key place for the progress and planning for any town and the people on that commission become very dedicated most of them are appointed because of their knowledge, will you be studying all the issues and the small things that come together it make a community or only the big ones will you put the time in to learn all the zoning ordinance. . You are elected and the people depend on you to make a decision on their behalf. If you want to change this to make all of the decisions, are you ready to take on all the work it takes.

Lodie Silva said I know you can't answer but I hope the City Manager can address this when you close the Public Hearing. There is some missed information on the website ordinance 88 back in August. The one back in August looks better than it does now, and we need to put a document that is presentable. James Gale Having served as a University Director for 22 years and seeing a lot of internal politics I was scared when I saw this document that wasn't properly written. I was afraid it was an end run to get us back to a zoning for heavy industrial. Now I know it was just problems with process and cleaning up and I highly respect the town in this room to make this correct and if we slow down long enough to have proper review it will be correct and good for our citizens, I enjoy living here and the progress the city has made in the past two years. Mayor Ramsell called names of people that signed in to see if they would like to speak. There were no comments. Dr. Moore explained the areas that need to be cleaned up, and a public forum will be 6-day notification and for a public hearing 15-day notification in

accordance with state law. Finance officer Finch read comments from emails. Dr. Moore said I just to emphasize to members of Council that what you have in front of you is the changes that are being fixed and the suggestions I have made to you for us to have constancy of language such as variance make sure the language for public forum vs public hearing is clearly pointed toward the appropriate appointed bodies and one other issues brought up is the extraction of petroleum products is in as prohibited uses .

Councilor Gordon asked when the change would be made and cleaned up.

Dr. Moore said that it will be cleaned up and ready by next week. I would like to sit down and make sure everything is properly in that document.

Councilor Apodaca made a comment to the residents and thanked them for speaking out and moving forward and doing the best for the city.

Councilor Gutjahr said that the comments were very thoughtful, and she understood the confusion.

Mayor Ramsell thanked everyone for coming out and he appreciates hearing all the comments.

#### **MOTION AND ROLL CALL VOTE TO GO BACK INTO SPECIAL BUSINESS MEETING SESSION**

Motion made by Councilor Apodaca to go back into the special business meeting session. Seconded by Councilor Gorden. at 7:43pm.

#### Voting Yea:

Mayor Pro-Teem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

#### **DISCUSSION, CONSIDERATION, AND DECISION – FINAL CONSIDERATION OF ORDINANCE 2023-92, AN ORDINANCE SUPERSEDING OR REPEALING ORDINANCE NO. 2023-88, CHAPTER 04 ZONING CODE**

Kathy Mc Cord explained what she thought she heard and went over the process of public hearing and public forum guidelines and explained that she is glad to hear the changes that were not clear. Helen Smith, I think we should concede not to make a decision right after the public hearing.

Joe Clary I would like to thank you for clarifying everything and asked if the Council will have a forum. Mr. Van Vleck explained the process.

Mrs. Reyes said she thinks that Council needs to take the time necessary and urge you to be more detailed about it. Councilor Gorden asked if we could come back to this next week.

Dr. Moore explained his recommendation is to supersede to make sure we have all the information plugged in and we will continue to fix the entire ordinance. We are just trying to put these restrictions in place right now so there will be no loopholes.

Councilor Winters said he thinks we defined what the problems were and what we didn't approve of didn't end up on the internet. The Council and the public walked through the ordinance item by item and made the correct changes.

Motion made by Councilor Gorden to approve Ordinance 2023-92, an ordinance superseding or repealing ordinance no. 2023-88, chapter 04 zoning code. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

**DISCUSSION, CONSIDERATION, AND DECISION – SCHEDULE SPECIAL MEETING WITH PLANNING & ZONING COMMISSION ON DECEMBER 12, 2023**

Dr. Moore explained the purpose is to walk everyone through the process and to make sure everyone is on the same page on December 12, 2023.

Motion made by Councilor Apodaca to approve a special meeting with Planning & Zoning on December 12, 2023, at 6:30pm. Seconded by Councilor Gorden.

Voting Yea:

Mayor Pro-Teem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

**DISCUSSION, CONSIDERATION, AND DECISION – CONTINUE SPECIAL ASSIGNMENT IN THE CLERK'S OFFICE FOR THE ASSISTANT TO THE CITY MANAGER, FINANCE OFFICER/TREASURER AND DEPUTY CLERK**

Dr. Moore gave a report on the Municipal Clerks office and explained they have been walking through records and making sure they are filed in a fire rated room and locked file cabinets there is still some additional work that needs to be done.

Mrs. Finch gave an update and said we are about 1/3 of the way done.

Motion made by Councilor Gorden to approve the special assignment in the clerk's office for the Assistant to the City Manager, Finance officer/treasurer and Deputy Clerk for two pay periods recommended by dr. Moore Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

**DISCUSSION – CITY COUNCIL CODE OF CONDUCT**

Dr. Moore explained that the State of New Mexico has a code of conduct act. He stated that it lays out ground rules for Council and explained the different forms of code of conduct and it can be done as a Resolution. It is our suggestion to have a couple of members of council and bring in some members of other boards and come back to you.

Councilor Gordon said I think it is something we could talk about.

Councilor Gutjahr said I think it is a great idea and we have used the code of ethics for volunteers it helps make things clear.

Councilor Apodaca said he thinks it's a good idea. Councilor Winters also agreed it is a good idea.

Mayor Ramsell explained that it is something we have discussed in the past and it kept getting pushed back.

**Adjourn**

Motion made by Councilor Winters to adjourn at 8:56 pm. Seconded by Councilor Gordon. The motion carried unanimously.

Respectfully submitted,

\_\_\_\_\_  
Lalena Aragon, Deputy Clerk  
(Taken and 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

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Lawrence R. Gordon,  
Councilor

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Jimmie Winters,  
Councilor

DRAFT





**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, December 11, 2023 6:00 PM**  
**Minutes**

*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**

Mayor Ramsell called the meeting to order at 6:03 pm.

**Pledge of Allegiance**

Councilor Gutjahr led the Pledge of Allegiance

**Roll Call**

PRESENT

Governing Body

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

Staff

Manager Dr. Martin Moore  
 Deputy Clerk Lalena Aragon  
 Assistant to the City Manager Amy Lopez  
 Fire Chief Andrew Tabet  
 Attorney Randall Van Vleck  
 Police Chief Felix Nunez

**Approval of Agenda**

Motion made by Councilor Gordon to approve the agenda as written. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
 Councilor Apodaca  
 Councilor Gordon  
 Councilor Winters

Motion passed with a 4-0 vote.

**Approval of Consent Agenda**

- 1. Regular Business Meeting Minutes – November 13, 2023**
- 2. Accounts Payable**

Maloy Mobile Storage	487.36	Comcast Business	571.72
Sharp Electronics Corp.	627.84	A T & T Mobility	1,155.00
NM Local Government Law	5,408.16	Ray's Fire Extinguishers	2,200.00
Woodlands Hardware	76.03	Positive Promotions	5,034.10
Bank of America	158.86	Albuquerque Publishing Co.	2,029.41
NM Public Procurement	100.00	Comcast Business	516.58

TLC Plumbing & Utility	769.52	WEX Bank	2,228.59
Roof CARE, LLC.	1,730.15	NM Water Service Company	422.90

Motion made by Councilor Apodaca to approve the consent agenda. Seconded by Mayor Pro-tem Gutjahr.

Voting Yea:

Mayor Pro-Tem Gutjahr  
 Councilor Apodaca  
 Councilor Gordon  
 Councilor Winters

Motion passed with a 4-0 vote.

**Public Comment:**

No comments.

**Manager Report**

City Manager Dr. Moore explained that we are working on the zoning code rewrite and that the task force will be walking through the details and that the language is consistent and clear language. He talked about the annexation and that we are going to be receiving a petition in the next few weeks. He gave a report on the progress in the Chamartin and San Lucas project. He talked about having a public forum about the Goodman construction and invite DOT. He then explained that 90% level on phase one and two on the Horner project and will be moving on to phase three. He talked about meeting with Legislators and that we are hoping to get one or two Jr. Bills to assist with the needs for Police, Fire and Public works.

Councilor Apodaca commented on the zoning ordinance let's take I3 as an example when we list several possibilities that would be approved for an i3 zone could we make a statement on the zoning ordinance to prevent someone from sneaking in something that isn't approved or outlined that isn't in agreement planning and zoning or city council can we make a statement that we have the right to review anything that is not approved.

City Manager Dr. Moore explained that there is a special use permit for anything that isn't a permitted or conditional use can only come in with a special use permit that has to come before council and there are some uses that cannot come in under a special use permit.

City Manager Dr. Moore stated that the Belen Public Schools will be recognizing the Rio Communities and Belen Fire Department and the Belen Police department for the response they received on a school bus incident that happened on November 17, 2023. That will be tomorrow at the school board meeting at 5pm.

Councilor Apodaca recommended asking for the maximum from the State.

Mayor Ramsell stated after meeting with two of our legislators the tune has changed a little due to the change in the oil market. One thing they told us, looking at the dollar amount to be realistic on the dollar amount.

Councilor Winters stated that the water trucks are doing some damage to the road on Chamartín.

**Council Discussion**

Councilor Apodaca talked about the city website and that we are behind on the city history and suggested updating the history to the website be added to the Librarian job duties..

**Executive Session - executive session – The following matters will be discussed in closed session: motion and roll call vote to go into executive session and that, pursuant to New Mexico state statutes section 10-15-1, only the following matters will be discussed in closed session:**

- A. NMSA 10-15-1(h)(2) limited personnel matters**
- B. Evaluation and contract of Fire Chief**
- C. Evaluation and contract of City Manager**
- D. Municipal Clerk Vacancy**
- E. NMSA 10-15-1(h)(8) real property & water rights**
- F. Acquisition of property**
- G. Roadway easement connecting Highway 47 and Highway 304**
- H. Water rights**

**Motion and roll call vote to go into closed session.**

Motion made by Mayor Pro-Tem Gutjahr to go into a closed session for the matters of NMSA 10-15-1(h)(2) limited personnel matters. Evaluation and contract of Fire Chief Evaluation and contract of City Manager. Municipal Clerk Vacancy. NMSA 10-15-1(h)(8) real property & water rights. Acquisition of property. Roadway easement connecting Highway 47 and Highway 304. Water rights. Seconded by Councilor Gordon.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

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

Motion made by Councilor Gordon to go back into regular business meeting session at 9:40pm. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

**Motion and Roll Call Vote that Matters Discussed in Closed Session Were Limited to Those Specified in Motion for Closure, and that no final action was taken, as per New Mexico State Statutes Section 10-15-1**

Motion made by Councilor Gorden that all matters discussed in closed session were limited to those specified in motion for closure, and that no final action was taken, as per New Mexico State Statutes Section 10-15-1. Seconded by Councilor Gutjahr.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

**DISCUSSION, CONSIDERATION, AND DECISION – CONTRACT OF FIRE CHIEF**

Mayor Ramsell stated the recommendation is to have a four-year contract for the Fire Chief with a salary of \$68,000.00 that will be effective as soon as the contract is signed.

Motion made by Mayor Pro-Tem Gutjahr to accept the recommendation of the Fire Chief contract for four-year contract with a salary of \$68,000.00, effective as soon as the contract is signed. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

**DISCUSSION, CONSIDERATION, AND DECISION – CONTRACT OF CITY MANAGER**

Mayor Ramsell stated the recommendation is to have a contract extension of two years with a severance for without a cause from 3 months to 4 months with an increase of the City Mangers salary from \$1003, 000.00 to \$112,00.00, effective as soon as the contract is signed.

Motion made by Mayor Pro-Tem Gutjahr to accept the recommendation of the City Manager to have a contract extension of two years with a severance for without a cause from 3 months to 4 months with an increase of the City Mangers salary from \$1003, 000.00 to \$112,00.00, effective as soon as the contract is signed. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

Motion passed with a 4-0 vote.

**DISCUSSION, CONSIDERATION, AND DECISION – APPOINTMENT OF ACTING MUNICIPAL CLERK**

Mayor Ramsell stated the recommendation is for City Manager Dr. Moore to be appointed as the acting Municipal Clerk until we can hire a Municipal Clerk, effective immediately.

Motion made by Mayor Pro-Tem Gutjahr to appoint the City Manager Dr. Moore as the acting Municipal Clerk. Seconded by Councilor Winters.

Voting Yea:

- Mayor Pro-Tem Gutjahr
- Councilor Apodaca
- Councilor Gordon
- Councilor Winters

Motion passed with a 4-0 vote.

**DISCUSSION, CONSIDERATION, AND DECISION – RECRUITMENT OF MUNICIPAL CLERK**

Mayor Ramsell stated the recommendation is to continue to post this on the Municipal League website and revisit this later in January to move forward in hiring.

Motion made by Mayor Pro-Tem Gutjahr to continue to post this on the Municipal League website and revisit this later in January. Seconded by Councilor Winters.

Voting Yea:

- Mayor Pro-Tem Gutjahr
- Councilor Apodaca
- Councilor Gordon
- Councilor Winters

Motion passed with a 4-0 vote.

**Adjourn**

Motion made by Councilor Winters at 9:46pm, seconded by Councilor Gordon. The motion carried unanimously.

Respectfully submitted,

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Lalena Aragon, Deputy Clerk  
 (Taken and 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

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Lawrence R. Gordon,  
Councilor

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Jimmie Winters,  
Councilor

DRAFT



## City of Rio Communities Council Joint Special Workshop with Planning and Zoning Commission

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Tuesday, December 12, 2023 6:30 PM

**Minutes**

*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

Mayor Ramsell called the meeting to order at 6:50pm.

### Roll Call

#### Governing Body

Mayor Joshua Ramsell

Mayor Pro-tem Margaret R. Gutjahr

Councilor Arthur Apodaca

Councilor Lawrence Gordon (virtual)

Councilor Jimmie Winters

#### Staff

City Manager Dr. Martin Moore

Deputy Clerk Lalena Aragon

Fire Chief Andrew Tabet

Attorney Randy Van Vleck

#### Planning and Zoning Commission

Vice Chairman Scott Adair

Secretary Melodie Good

Commissioner Chad Good

### Discussion – Rezoning Process

City Manager Dr. Moore explained the issues with the rezoning process.

City Attorney Van Vleck reviewed the rezoning process in detail, explaining that any decision made in a rezoning process and that it needs to be defensible in court, he continued to explain why there is a public hearing process.

Mayor Pro-tem Gutjahr asked what the difference between the open discussion rules and guidelines is.

City Attorney Van Vleck explained that he came up with those so that the public can feel that they are being heard, the city can tailor the rules and guidelines to what is needed, but the rules and guidelines would be there to keep the process flowing smoothly and be productive. He continued the discussion.

Vice Chair Adair asked if the public forum would have documentation, such as minutes, like meetings and hearing have.

City Attorney Van Vleck explained there would be documentation and that documentation would be considered in the public hearing.

Vice Chair Adair asked what ordinance the public forum falls under.

City Attorney Van Vleck explained there is no ordinance that requires a public forum, just a public hearing. He continued to explain what types of hearings are heard at the Planning and Zoning level and which would fall under City Council, where the Council would consider the recommendation of the Planning and Zoning.

Secretary Melody Good asked if a motion needed to be made to go into a public forum, is there a public forum for every type of permit that comes before Planning and zoning, and what is the difference between a public forum and the hearing process currently in place.

City Attorney Van Vleck explained a public forum would need to be held when there is a lot of controversy around a subject, but if the subject of the permit is not particularly troublesome it can be discussed within a regular planning and zoning meeting. He continued the discussion with Council and Planning and Zoning.

### **Discussion – Zoning Code Revisions**

City Attorney Van Vleck explained the zoning reversion in detail.

Mayor Ramsell recommended having a presentation at a meeting before the public forum meeting. A discussion began regarding having a presentation by the applicant during a public forum.

City Manager Dr. Moore explained the taskforce that will be working on the zoning code revisions, including what changes will be made, and that the revisions will include public forums. The discussion continued.

### **Discussion – Annexation Process**

City Manager Dr. Moore went over the process of applying for annexation.

### **Public Comment:**

Dick Irvin, from 607 Western Drive, said in the many meetings he feels like the he and the public are not being listened to, and he appreciated the idea of the city being more transparent. He then spoke about the traffic on Highway 304 and first amendment rights.

### **Adjourn**

The Special workshop with Planning and Zoning commission was adjourned at 8:02 pm.



Respectfully submitted,

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Martin D. Moore, Acting Municipal Clerk  
(Taken and 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

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Lawrence R. Gordon,  
Councilor

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Jimmie Winters,  
Councilor



# Accounts Payable Approval Report By Fund

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
<b>Fund: 11000 - General Operating Fund</b>					
<b>Department: 2002 - General Administration</b>					
Martin Pacheco	01	10/19/2023	10th Anniversary - Tables & c...	11000-2002-57997	218.00
Woodlands Hardware	012021/1	12/12/2023	City Hall Supplies	11000-2002-56999	82.80
Wells Fargo Financial Leasing	5027777436	12/12/2023	CH Server Lease - Contract #8...	11000-2002-57130	2,497.73
Sharp Electronics Corporation	9004614235	12/12/2023	Contract# 800595693 - Aquos...	11000-2002-55030	274.50
SJT Group LLC	10636	12/18/2023	FY 2022-2023 Audit	11000-2002-55010	4,797.38
Tyler Business Forms	90021	12/18/2023	W-2's / 1099's / AP Checks	11000-2002-56999	609.82
Tyler Business Forms	90065	12/18/2023	W-2's / 1099's / AP Checks	11000-2002-56999	281.89
Sharp Electronics Corporation	9004637012	12/19/2023	CH Help Desk - Contract #800...	11000-2002-55030	285.00
HEI, Inc	JC3715	12/21/2023	Power for Christmas Tree	11000-2002-55999	500.00
HEI, Inc	JC3718	12/21/2023	Fix Lights @ City Hall	11000-2002-54010	2,000.00
<b>Department 2002 - General Administration Total:</b>					<b>11,547.12</b>
<b>Department: 2004 - Finance/Budget/Accounting</b>					
Amazon Business	14YJ-6TNX-PGMD	12/12/2023	Finance Office Supplies	11000-2004-56020	47.96
Sharp Electronics Corporation	SH602999	12/12/2023	Finance Department Copies	11000-2004-57090	234.55
<b>Department 2004 - Finance/Budget/Accounting Total:</b>					<b>282.51</b>
<b>Department: 2008 - Municipal Clerk</b>					
Staples Contract & Commercia..	8072600293	12/12/2023	various office supplies	11000-2008-56020	295.65
Amazon Business	1PTW-VYJQ-7Y9V	12/18/2023	Clerks Office Supplies	11000-2008-56020	299.34
<b>Department 2008 - Municipal Clerk Total:</b>					<b>594.99</b>
<b>Department: 3001 - Law Enforcement</b>					
Code 3 Service	230783	12/12/2023	PD Radios	11000-3001-56040	18,333.38
Sharp Electronics Corporation	9004614236	12/12/2023	RMM & Help Desk Service	11000-3001-55030	385.00
Sharp Electronics Corporation	9004614236	12/12/2023	Contract# 800608808 - PD Hel...	11000-3001-55030	468.00
Sharp Electronics Corporation	9004614236	12/12/2023	EDR License % Soc. Service-De...	11000-3001-56010	66.00
Sharp Electronics Corporation	SH603000	12/12/2023	Police Dept. Copies	11000-3001-57090	165.17
TLC Uniforms	268194	12/18/2023	UNIFORMS	11000-3001-56110	556.83
TLC Uniforms	269099	12/18/2023	UNIFORMS	11000-3001-56110	43.99
HEI, Inc	JC3716	12/21/2023	PD Door Seperating from City ...	11000-3001-54010	6,476.34
HEI, Inc	JC3717	12/21/2023	Cubicle Repair	11000-3001-54050	500.00
<b>Department 3001 - Law Enforcement Total:</b>					<b>26,994.71</b>
<b>Department: 3005 - Dispatch/E911</b>					
Village of Bosque Farms	VLL2023-16	12/12/2023	E-911 Services	11000-3005-55999	18,233.00
<b>Department 3005 - Dispatch/E911 Total:</b>					<b>18,233.00</b>
<b>Department: 4004 - Library</b>					
Sharp Electronics Corporation	9004614235	12/12/2023	Contract# 800595693 - Aquos...	11000-4004-55030	137.25
<b>Department 4004 - Library Total:</b>					<b>137.25</b>
<b>Department: 5101 - Public Works</b>					
Woodlands Hardware	012054/1	12/12/2023	Various Supplies	11000-5101-56030	47.65
Woodlands Hardware	012067/1	12/12/2023	Various Supplies	11000-5101-56030	110.51
UniqueFleet, LLC.	22442	12/12/2023	Preventative Maint PW Vehicl...	11000-5101-54040	1,308.78
UniqueFleet, LLC.	22443	12/12/2023	Preventative Maint PW Vehicl...	11000-5101-54040	1,116.50
UniqueFleet, LLC.	22444	12/12/2023	Preventative Maint PW Vehicl...	11000-5101-54040	834.41
UniqueFleet, LLC.	22445	12/12/2023	Preventative Maint PW Vehicl...	11000-5101-54040	494.85
UniqueFleet, LLC.	22448	12/12/2023	Preventative Maint PW Vehicl...	11000-5101-54040	576.32
<b>Department 5101 - Public Works Total:</b>					<b>4,489.02</b>
<b>Department: 5104 - Highways and Streets</b>					
HEI, Inc	JC3714	12/21/2023	Emergency Street Light Repair	11000-5104-54030	600.00

**Accounts Payable Approval Report**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
HEI, Inc	JC3719	12/21/2023	Repair Street Lights	11000-5104-54050	1,900.43
				<b>Department 5104 - Highways and Streets Total:</b>	<b>2,500.43</b>
				<b>Fund 11000 - General Operating Fund Total:</b>	<b>64,779.03</b>

**Fund: 20200 - Environmental**

**Department: 5009 - Environmental**

Universal Waste Systems, Inc.	0002591288	12/12/2023	Clean Up day-Dumpsters	20200-5009-55999	397.47
				<b>Department 5009 - Environmental Total:</b>	<b>397.47</b>
				<b>Fund 20200 - Environmental Total:</b>	<b>397.47</b>

**Fund: 20900 - Fire Protection**

**Department: 3002 - Fire Protection**

Woodlands Hardware	012025/1	12/12/2023	Various Supplies	20900-3002-56030	117.46
Woodlands Hardware	012029/1	12/12/2023	Various Supplies	20900-3002-56030	84.42
Woodlands Hardware	012033/1	12/12/2023	Various Supplies	20900-3002-56030	139.99
Woodlands Hardware	012042/1	12/12/2023	Various Supplies	20900-3002-56030	14.05
Able & Willies One Stop Shop, ...	1524	12/12/2023	plaques	20900-3002-56020	98.00
McKesson Medical-Surgical G...	21387880	12/12/2023	MED supplies	20900-3002-56070	316.30
McKesson Medical-Surgical G...	21399513	12/12/2023	MED supplies	20900-3002-56070	244.90
Napa Auto Parts	506203	12/12/2023	Auto Supplies	20900-3002-54040	168.07
Sharp Electronics Corporation	9004614234	12/12/2023	Fire Dept Help Desk & Server...	20900-3002-55030	1,301.00
Sharp Electronics Corporation	9004614235	12/12/2023	Contract# 800595693 - Aquos...	20900-3002-55030	137.25
Sharp Electronics Corporation	9004614237	12/12/2023	Fire Dept Copies	20900-3002-57090	221.11
UniqueFleet, LLC.	22388	12/18/2023	Preventative Maint on Fire Ve...	20900-3002-54040	415.20
UniqueFleet, LLC.	22389	12/18/2023	Preventative Maint on Fire Ve...	20900-3002-54040	415.20
UniqueFleet, LLC.	22390	12/18/2023	Preventative Maint on Fire Ve...	20900-3002-54040	211.22
UniqueFleet, LLC.	22447	12/18/2023	Preventative Maint on Fire Ve...	20900-3002-54040	404.30
TLC Uniforms	268488	12/18/2023	Unifroms - Shirts, Hats, Pants	20900-3002-56110	46.98
TLC Uniforms	269088	12/18/2023	Unifroms - Shirts, Hats, Pants	20900-3002-56110	46.98
Sharp Electronics Corporation	5027777435	12/18/2023	Fire Dept Copier Lease - Cont...	20900-3002-57130	171.44
Batteries Plus #1049	P68647251	12/18/2023	Batteries	20900-3002-56070	75.45
Century Link	INV0004619	12/21/2023	FD/Substation - Telephone ser...	20900-3002-57160	78.43
Comcast Business	INV0004583	12/26/2023	Fire Dept. Telecommunications	20900-3002-57160	281.55
				<b>Department 3002 - Fire Protection Total:</b>	<b>4,989.30</b>
				<b>Fund 20900 - Fire Protection Total:</b>	<b>4,989.30</b>

**Fund: 26000 - American Rescue Plan Act**

**Department: 2002 - General Administration**

HEI, Inc	JC3710	12/21/2023	Fire Department Admin Securi...	26000-2002-58020	2,698.61
HEI, Inc	JC3711	12/21/2023	City Hall Security System	26000-2002-58020	58,581.74
HEI, Inc	JC3712	12/21/2023	Police Department Security Sy...	26000-2002-58020	3,457.85
				<b>Department 2002 - General Administration Total:</b>	<b>64,738.20</b>
				<b>Fund 26000 - American Rescue Plan Act Total:</b>	<b>64,738.20</b>

**Fund: 30300 - State Legislative Appropriation Project**

**Department: 2002 - General Administration**

Construction Coordinators Inc.	1298	12/12/2023	GRT	30300-2002-58010	249.00
Construction Coordinators Inc.	1298	12/12/2023	Concrete for Chamisa Park	30300-2002-58010	5,000.00
Construction Coordinators Inc.	1299	12/18/2023	GRT	30300-2002-58010	290.50
Construction Coordinators Inc.	1299	12/18/2023	Concrete for Chamisa Park	30300-2002-58010	6,000.00
Construction Coordinators Inc.	1303	12/21/2023	Concrete for Chamisa Park	30300-2002-58010	4,480.00
Construction Coordinators Inc.	1303	12/21/2023	GRT	30300-2002-58010	230.74
				<b>Department 2002 - General Administration Total:</b>	<b>16,250.24</b>
				<b>Fund 30300 - State Legislative Appropriation Project Total:</b>	<b>16,250.24</b>

**Fund: 30400 - Road/Street Projects**

**Department: 2002 - General Administration**

HDR Engineering, Inc.	1200580174	12/18/2023	NMGRT (7.8750%)	30400-2002-55030	483.12
HDR Engineering, Inc.	1200580174	12/18/2023	Task 6 - Construction Observat...	30400-2002-55030	6,336.00
HDR Engineering, Inc.	1200580708	12/18/2023	GRT (7.6250%)	30400-2002-55030	247.37
HDR Engineering, Inc.	1200580708	12/18/2023	Task 3 - Preliminary & Final De...	30400-2002-55030	3,244.15
HDR Engineering, Inc.	1200580717	12/18/2023	Cultural resources Survey/Par...	30400-2002-55030	5,315.57

**Accounts Payable Approval Report**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
HDR Engineering, Inc.	1200580717	12/18/2023	Task1- Categorical Exclusion/...	30400-2002-55030	2,249.40
HDR Engineering, Inc.	1200580717	12/18/2023	Subconsultant Markup	30400-2002-55030	531.56
HDR Engineering, Inc.	1200580717	12/18/2023	NM GRT (7.625%)	30400-2002-55030	617.36
HDR Engineering, Inc.	1200580748	12/18/2023	Task 2- Construction Related ...	30400-2002-55030	9,637.20
HDR Engineering, Inc.	1200580748	12/18/2023	NM GRT (7.625%)	30400-2002-55030	659.58
HDR Engineering, Inc.	1200580748	12/18/2023	Direct Expenses	30400-2002-55030	60.00
<b>Department 2002 - General Administration Total:</b>					<b>29,381.31</b>
<b>Fund 30400 - Road/Street Projects Total:</b>					<b>29,381.31</b>
<b>Fund: 39900 - Other Capital Projects</b>					
<b>Department: 2002 - General Administration</b>					
Griffin & Associates Marketing...	001575	12/18/2023	Independent Contractor Agre...	39900-2002-55030	1,738.79
HDR Engineering, Inc.	1200580748 A	12/18/2023	GRT @ 7.8750%	39900-2002-55030	659.58
HDR Engineering, Inc.	1200580748 A	12/18/2023	Task 5 Construction Observati...	39900-2002-55030	7,603.20
HDR Engineering, Inc.	1200581037	12/18/2023	On-Call Engineering Services	39900-2002-55030	4,713.44
HEI, Inc	JC3713	12/21/2023	Ethernet Drops in Council Ch...	39900-2002-58010	866.40
HEI, Inc	JC3717	12/21/2023	Construct Cubicles	39900-2002-58010	2,400.00
HEI, Inc	JC3717	12/21/2023	Additional Receptables/Lower...	39900-2002-58010	950.00
HEI, Inc	JC3717	12/21/2023	GRT (7.8125%)	39900-2002-58010	457.03
HEI, Inc	JC3717	12/21/2023	10 Additional Drops	39900-2002-58010	2,500.00
<b>Department 2002 - General Administration Total:</b>					<b>21,888.44</b>
<b>Fund 39900 - Other Capital Projects Total:</b>					<b>21,888.44</b>
<b>Grand Total:</b>					<b>202,423.99</b>

**Fund Summary**

Fund	Expense Amount
11000 - General Operating Fund	64,779.03
20200 - Environmental	397.47
20900 - Fire Protection	4,989.30
26000 - American Rescue Plan Act	64,738.20
30300 - State Legislative Appropriation Project	16,250.24
30400 - Road/Street Projects	29,381.31
39900 - Other Capital Projects	21,888.44
<b>Grand Total:</b>	<b>202,423.99</b>

**Account Summary**

Account Number	Account Name	Expense Amount
11000-2002-54010	Maintenance & Repairs -...	2,000.00
11000-2002-55010	Contract - Audit	4,797.38
11000-2002-55030	Contract - Professional S...	559.50
11000-2002-55999	Contract - Other Services	500.00
11000-2002-56999	Supplies - Other	974.51
11000-2002-57130	Rent of Equipment/Mach..	2,497.73
11000-2002-57997	10th Anniversary Celebr...	218.00
11000-2004-56020	Supplies - General Office	47.96
11000-2004-57090	Printing/Publishing/Adve...	234.55
11000-2008-56020	Supplies - General Office	594.99
11000-3001-54010	Maintenance & Repairs -...	6,476.34
11000-3001-54050	Maintenance & Repair - ...	500.00
11000-3001-55030	Contract - Professional S...	853.00
11000-3001-56010	Software	66.00
11000-3001-56040	Supplies-Furniture/Fixtu...	18,333.38
11000-3001-56110	Supplies - Uniforms/Linen	600.82
11000-3001-57090	Printing/Publishing/Adve...	165.17
11000-3005-55999	Contract - Other Services	18,233.00
11000-4004-55030	Contract - Professional S...	137.25
11000-5101-54040	Maintenance & Repairs -...	4,330.86
11000-5101-56030	Supplies - Field Supplies	158.16
11000-5104-54030	Maintenance & Repairs -...	600.00
11000-5104-54050	Maintenance & Repair - ...	1,900.43
20200-5009-55999	Contract - Other Services	397.47
20900-3002-54040	Maintenance & Repairs -...	1,613.99
20900-3002-55030	Contract - Professional S...	1,438.25
20900-3002-56020	Supplies - General Office	98.00
20900-3002-56030	Supplies - Field Supplies	355.92
20900-3002-56070	Supplies - Medical	636.65
20900-3002-56110	Supplies - Uniforms/Linen	93.96
20900-3002-57090	Printing/Publishing/Adve...	221.11
20900-3002-57130	Rent of Equipment/Mach..	171.44
20900-3002-57160	Telecommunications	359.98
26000-2002-58020	Equipment & Machinery	64,738.20
30300-2002-58010	Buildings & Structures	16,250.24
30400-2002-55030	Contract - Professional S...	29,381.31
39900-2002-55030	Contract - Professional S...	14,715.01
39900-2002-58010	Buildings & Structures	7,173.43
<b>Grand Total:</b>		<b>202,423.99</b>

**Project Account Summary**

Project Account Key	Expense Amount
**None**	104,188.93
2021-040-002-50000	10,356.78
D19627-50000	3,398.32

**Project Account Summary**

<b>Project Account Key</b>	<b>Expense Amount</b>
D19841-50000	3,491.52
F2949-50000	16,250.24
FRF-RIOCOM-075-50000	<u>64,738.20</u>
<b>Grand Total:</b>	<b>202,423.99</b>

MAYOR & COUNCILORS

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JOSHUA RAMSELL, MAYOR

---

MARGARET "PEGGY" GUTJAHR, MAYOR PRO-TEM

---

LAWRENCE GORDON, COUNCILOR

---

ARTHUR APODACA, COUNCILOR

---

JIM WINTERS, COUNCILOR

ATTEST:

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**STATE OF NEW MEXICO  
CITY OF RIO COMMUNITIES  
RESOLUTION 2023 – 25**

**ANNUAL BUDGET AMENDMENT #01  
(FISCAL YEAR ENDING JUNE 30, 2024)**

**WHEREAS,** the Governing Board in and for the City of Rio Communities, State of New Mexico has developed a budget for fiscal year 2024, and

**WHEREAS,** said budget was developed upon need and through cooperation with all user departments, elected officials, and other department supervisors, and

**WHEREAS,** the official meetings for the review of said documents were duly advertised in compliance with the State Open Meetings Act, and

**THEREFORE, BE IT HEREBY RESOLVED** that the Governing Body of the City of Rio Communities, State of New Mexico hereby approves the following adjustments attached herein.

**PASSED, APPROVED AND ADOPTED THIS 29<sup>th</sup> DAY OF DECEMBER 2023 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.**

**City of Rio Communities Governing Body**

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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

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Lawrence R. Gordon,  
Councilor

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Jimmie Winters,  
Councilor

ATTEST:

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Martin D. Moore, Acting Municipal Clerk





Rio Communities, NM

# Budget Adjustment Register

## Adjustment Detail

Packet: GLPKT01557 - FY 2023-2024 BAR #1

Adjustment Number	Budget Code	Description	Adjustment Date
BA0000029	FY 2023-2024 Final Budget	FY 2023-2024 Bar #01	12/29/2023

**Summary Description:**

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
<a href="#">11000-0001-41250</a> December: -130,000.00	Gross Receipts Tax-Municipal L...	Increase Local GRT	-403,000.00	-130,000.00	-533,000.00
<a href="#">11000-0001-41259</a> December: -3,500.00	Compensating Tax	Increase Compensating Tax	-2,200.00	-3,500.00	-5,700.00
<a href="#">11000-0001-42401</a> December: -140,000.00	GRT Shared - Municipal Equival...	Increase State GRT	-275,000.00	-140,000.00	-415,000.00
<a href="#">11000-0001-43300</a> December: -1,000.00	Building Permit	Increase Building Permit Revenue	-1,000.00	-1,000.00	-2,000.00
<a href="#">11000-0001-46800</a> December: -850.00	10th Anniversary Donations	10th Anniversary Celebration Donations	0.00	-850.00	-850.00
<a href="#">11000-1001-53010</a> December: 4,000.00	Travel - Elected Officials	Travel for Newly Elected Officials	500.00	4,000.00	4,500.00
<a href="#">11000-1001-56040</a> December: 1,000.00	Supplies-Furniture/Fixtures/Equ...	Supplies for City Council	0.00	1,000.00	1,000.00
<a href="#">11000-1001-57050</a> December: 1,500.00	Employee Training	Training for Newly Elected Officials	500.00	1,500.00	2,000.00
<a href="#">11000-1001-57160</a> December: 500.00	Telecommunications	Mayor Cell Phone	0.00	500.00	500.00
<a href="#">11000-2001-51020</a> December: 14,000.00	Salaries - Full-Time Positions	City Manager New Contract & Vacation Payouts	147,252.00	14,000.00	161,252.00
<a href="#">11000-2001-52010</a> December: 870.00	FICA - Regular	City Manager New Contract & Vacation Payout	9,130.00	870.00	10,000.00
<a href="#">11000-2001-52011</a> December: 203.00	FICA - Medicare	City Manager New Contract & Vacation Payout	2,136.00	203.00	2,339.00
<a href="#">11000-2001-52020</a> December: 1,250.00	Retirement	City Manager New Contract & Vacation Payout	12,738.00	1,250.00	13,988.00
<a href="#">11000-2001-53030</a> December: 1,000.00	Travel - Employees	City Manager/Asst Travel	1,000.00	1,000.00	2,000.00
<a href="#">11000-2001-54040</a> December: 500.00	Maintenance & Repairs - Vehicl...	City Manager Vehicle Maint.	0.00	500.00	500.00
<a href="#">11000-2001-56020</a> December: 500.00	Supplies - General Office	City Manager Office Supplies	500.00	500.00	1,000.00
<a href="#">11000-2001-56040</a> December: 10,000.00	Supplies-Furniture/Fixtures/Equ...	City Manager/Asst Computer/Equip Upgrades	500.00	10,000.00	10,500.00
<a href="#">11000-2001-57050</a> December: 500.00	Employee Training	City Manager/Asst Training	1,000.00	500.00	1,500.00
<a href="#">11000-2001-57160</a> December: 500.00	Telecommunications	City Manager/Asst Cell Phones	1,200.00	500.00	1,700.00
<a href="#">11000-2002-54010</a> December: 15,000.00	Maintenance & Repairs - Buildi...	City Hall Repairs	10,000.00	15,000.00	25,000.00
<a href="#">11000-2002-54050</a> December: 5,000.00	Maintenance & Repair - Furnitu...	City Hall Maint of Equip	2,000.00	5,000.00	7,000.00
<a href="#">11000-2002-55999</a>	Contract - Other Services	City Hall Contract Other Services	14,000.00	20,000.00	34,000.00

**Budget Adjustment Register**

**Packet: GLPKT01557 - FY 2023-2024 BAR #1**

December:	20,000.00				
<a href="#">11000-2002-56010</a>	Software	City Hall Software - Training	15,000.00	10,000.00	25,000.00
December:	10,000.00				
<a href="#">11000-2002-56040</a>	Supplies-Furniture/Fixtures/Equ...	City Hall Supplies	2,000.00	2,500.00	4,500.00
December:	2,500.00				
<a href="#">11000-2002-56050</a>	Supplies - Janitorial/Maintenan...	City Hall Janitorial Supplies	1,500.00	1,000.00	2,500.00
December:	1,000.00				
<a href="#">11000-2002-57070</a>	Insurance - General Liability/Pr...	City Hall Insurance Premium	5,000.00	4,000.00	9,000.00
December:	4,000.00				
<a href="#">11000-2002-57080</a>	Postage	City Hall Postage	5,000.00	3,000.00	8,000.00
December:	3,000.00				
<a href="#">11000-2002-57170</a>	Utilities - Electricity	City Hall Electricity	6,000.00	6,000.00	12,000.00
December:	6,000.00				
<a href="#">11000-2002-57173</a>	Utilities - Water	City Hall Water	4,500.00	500.00	5,000.00
December:	500.00				
<a href="#">11000-2002-57800</a>	GRT Administrative Fee	GRT Admin Fee	8,000.00	8,000.00	16,000.00
December:	8,000.00				
<a href="#">11000-2004-56020</a>	Supplies - General Office	Finance Office Supplies	1,500.00	1,500.00	3,000.00
December:	1,500.00				
<a href="#">11000-2004-56040</a>	Supplies-Furniture/Fixtures/Equ...	Finance Supplies	1,800.00	2,500.00	4,300.00
December:	2,500.00				
<a href="#">11000-2004-57090</a>	Printing/Publishing/Advertising	Finance Printer	0.00	4,500.00	4,500.00
December:	4,500.00				
<a href="#">11000-2004-57150</a>	Subscriptions & Dues	Finance Subscriptions/Due	0.00	500.00	500.00
December:	500.00				
<a href="#">11000-2004-57160</a>	Telecommunications	Finance Telecommunications	1,200.00	2,000.00	3,200.00
December:	2,000.00				
<a href="#">11000-2008-51050</a>	Salaries - Temporary Positions	City Clerk Temp Salaries	26,000.00	10,000.00	36,000.00
December:	10,000.00				
<a href="#">11000-2008-56020</a>	Supplies - General Office	Municipal Clerk Supplies	2,597.00	1,000.00	3,597.00
December:	1,000.00				
<a href="#">11000-2008-56040</a>	Supplies-Furniture/Fixtures/Equ...	Municipal Clerk Supplies	3,000.00	10,000.00	13,000.00
December:	10,000.00				
<a href="#">11000-2014-57150</a>	Subscriptions & Dues	Economic Devel. Subscriptions & Dues	0.00	3,000.00	3,000.00
December:	3,000.00				
<a href="#">11000-3001-54050</a>	Maintenance & Repair - Furnitu...	PD Maint & Repairs	0.00	2,000.00	2,000.00
December:	2,000.00				
<a href="#">11000-3001-54999</a>	Other Maintenance	PD Other Maint	0.00	200.00	200.00
December:	200.00				
<a href="#">11000-3001-55030</a>	Contract - Professional Services	PD Contract - Professional Services	0.00	4,000.00	4,000.00
December:	4,000.00				
<a href="#">11000-3001-56020</a>	Supplies - General Office	PD Office Supplies	500.00	2,500.00	3,000.00
December:	2,500.00				
<a href="#">11000-3001-56030</a>	Supplies - Field Supplies	PD Field Supplies	0.00	3,000.00	3,000.00
December:	3,000.00				
<a href="#">11000-3001-56040</a>	Supplies-Furniture/Fixtures/Equ...	PD Supplies Equip & Machinery	5,000.00	20,000.00	25,000.00
December:	20,000.00				
<a href="#">11000-3001-56110</a>	Supplies - Uniforms/Linen	PD Uniforms	0.00	6,000.00	6,000.00
December:	6,000.00				
<a href="#">11000-3002-51020</a>	Salaries - Full-Time Positions	Fire Chief New Contract	52,000.00	16,000.00	68,000.00
December:	16,000.00				
<a href="#">11000-3002-51050</a>	Salaries - Temporary Positions	Fire Dept Temp Salaries	54,600.00	16,120.00	70,720.00
December:	16,120.00				

**Budget Adjustment Register**

**Packet: GLPKT01557 - FY 2023-2024 BAR #1**

<a href="#">11000-3002-52010</a>	FICA - Regular	Fire Dept Employees	6,610.00	1,000.00	7,610.00
December:	1,000.00				
<a href="#">11000-3002-52011</a>	FICA - Medicare	Fire Dept Salaries	1,546.00	250.00	1,796.00
December:	250.00				
<a href="#">11000-3002-52020</a>	Retirement	Fire Dept Retirement	6,578.00	2,025.00	8,603.00
December:	2,025.00				
<a href="#">11000-3002-53030</a>	Travel - Employees	Fire Dept Travel to Oregon	0.00	4,000.00	4,000.00
December:	4,000.00				
<a href="#">11000-3002-56040</a>	Supplies-Furniture/Fixtures/Equ..	Fire Dept Supplies	500.00	2,000.00	2,500.00
December:	2,000.00				
<a href="#">11000-3002-56120</a>	Supplies - Vehicle Fuel	Fire Dept Fuel	1,500.00	1,500.00	3,000.00
December:	1,500.00				
<a href="#">11000-3004-55999</a>	Contract - Other Services	Animal Control Contract	15,000.00	2,000.00	17,000.00
December:	2,000.00				
<a href="#">11000-5101-51060</a>	Salaries - Overtime	PW Overtime	0.00	5,000.00	5,000.00
December:	5,000.00				
<a href="#">11000-5101-54040</a>	Maintenance & Repairs - Vehicl...	PW Vehicle Maint	2,000.00	2,000.00	4,000.00
December:	2,000.00				
<a href="#">11000-5101-55999</a>	Contract - Other Services	PW Contract Other Services	0.00	5,000.00	5,000.00
December:	5,000.00				
<a href="#">11000-5101-56040</a>	Supplies-Furniture/Fixtures/Equ..	PW Supplies	1,500.00	2,000.00	3,500.00
December:	2,000.00				
<a href="#">11000-5101-56090</a>	Supplies - Safety	PW Safety Supplies	0.00	1,500.00	1,500.00
December:	1,500.00				
<a href="#">11000-5101-56120</a>	Supplies - Vehicle Fuel	PW Vehicle Fuel	5,000.00	3,000.00	8,000.00
December:	3,000.00				
<a href="#">11000-5101-56999</a>	Supplies - Other	PW Supplies	500.00	500.00	1,000.00
December:	500.00				
<a href="#">11000-5101-57130</a>	Rent of Equipment/Machinery	PW Rental of Equipment/Machinery	1,000.00	6,000.00	7,000.00
December:	6,000.00				
<a href="#">11000-5101-57160</a>	Telecommunications	PW Telecommunications	2,640.00	500.00	3,140.00
December:	500.00				
<a href="#">11000-5104-54030</a>	Maintenance & Repairs - Grou...	Streets Maint & Repair	0.00	2,000.00	2,000.00
December:	2,000.00				
<a href="#">11000-5104-57170</a>	Utilities - Electricity	Street Light Electricity	12,000.00	3,000.00	15,000.00
December:	3,000.00				
<a href="#">11000-9999-61200</a>	Transfers Out	Street Grant Matches	520,000.00	161,338.00	681,338.00
December:	161,338.00				
<a href="#">20900-0001-47499</a>	Other State Grants	FY 24 NM Fire Protection Grant	0.00	-150,000.00	-150,000.00
December:	-150,000.00				
<a href="#">20900-3002-58020</a>	Equipment & Machinery	FY 24 NM Fire Protection Grant	0.00	150,000.00	150,000.00
December:	150,000.00				
<a href="#">21220-0001-47122</a>	State-DPS Law Enforcement Re...	Law Enforcement Recruitment Grant	0.00	-225,000.00	-225,000.00
December:	-225,000.00				
<a href="#">21220-3001-51020</a>	Salaries - Full-Time Positions	Law Enforcement Recruitment Grant	0.00	110,400.00	110,400.00
December:	110,400.00				
<a href="#">21220-3001-51060</a>	Salaries - Overtime	Law Enforcement Recruitment Grant	0.00	50,000.00	50,000.00
December:	50,000.00				
<a href="#">21220-3001-52010</a>	FICA - Regular	Law Enforcement Recruitment Grant	0.00	9,945.00	9,945.00
December:	9,945.00				
<a href="#">21220-3001-52011</a>	FICA - Medicare	Law Enforcement Recruitment Grant	0.00	2,326.00	2,326.00
December:	2,326.00				
<a href="#">21220-3001-52020</a>	Retirement	Law Enforcement Recruitment Grant	0.00	12,382.00	12,382.00
December:					

**Budget Adjustment Register**

**Packet: GLPKT01557 - FY 2023-2024 BAR #1**

December:	12,382.00							
<a href="#">21220-3001-52030</a>		Health and Medical Premiums	Law Enforcement Recruitment Grant	0.00	31,116.00	31,116.00		
December:	31,116.00							
<a href="#">21220-3001-52040</a>		Life Insurance Premiums	Law Enforcement Recruitment Grant	0.00	108.00	108.00		
December:	108.00							
<a href="#">21220-3001-52050</a>		Dental Insurance Premiums	Law Enforcement Recruitment Grant	0.00	1,886.00	1,886.00		
December:	1,886.00							
<a href="#">21220-3001-52060</a>		Vision Insurance Medical Prem...	Law Enforcement Recruitment Grant	0.00	314.00	314.00		
December:	314.00							
<a href="#">21220-3001-52090</a>		Unemployment Compensation	Law Enforcement Recruitment Grant	0.00	398.00	398.00		
December:	398.00							
<a href="#">21220-3001-52100</a>		Workers' Compensation Premi...	Law Enforcement Recruitment Grant	0.00	6,125.00	6,125.00		
December:	6,125.00							
<a href="#">29800-0001-47398</a>		Other State Distributions (oper...	Wildland Fire Revenue	-30,000.00	-10,000.00	-40,000.00		
December:	-10,000.00							
<a href="#">30400-0001-47499</a>		Other State Grants	DHSEM Drainage Damage Grant - City Streets	0.00	-196,086.00	-196,086.00		
December:	-196,086.00							
<a href="#">30400-2002-58090</a>		Roadways/Bridges	DHSEM Drainage Damage City Streets	782,735.96	261,458.00	1,044,193.96		
December:	261,458.00							
<a href="#">30400-9999-61100</a>		Transfers In	Grant Match NMDOT & DHSEM Grants	0.00	-161,338.00	-161,338.00		
July:	-13,444.83	October:	-13,444.83	January:	-13,444.83	April:	-13,444.83	
August:	-13,444.83	November:	-13,444.83	February:	-13,444.83	May:	-13,444.83	
September:	-13,444.83	December:	-13,444.83	March:	-13,444.83	June:	-13,444.87	

**Budget Code Summary**

Budget	Budget Description	Account	Account Description	Before	Adjustment	After
2023-2024 FINAL	FY 2023-2024 Final Budget	<a href="#">11000-0001-41250</a>	Gross Receipts Tax-Municipal Local...	-403,000.00	-130,000.00	-533,000.00
		<a href="#">11000-0001-41259</a>	Compensating Tax	-2,200.00	-3,500.00	-5,700.00
		<a href="#">11000-0001-42401</a>	GRT Shared - Municipal Equivalent...	-275,000.00	-140,000.00	-415,000.00
		<a href="#">11000-0001-43300</a>	Building Permit	-1,000.00	-1,000.00	-2,000.00
		<a href="#">11000-0001-46800</a>	10th Anniversary Donations	0.00	-850.00	-850.00
		<a href="#">11000-1001-53010</a>	Travel - Elected Officials	500.00	4,000.00	4,500.00
		<a href="#">11000-1001-56040</a>	Supplies-Furniture/Fixtures/Equip...	0.00	1,000.00	1,000.00
		<a href="#">11000-1001-57050</a>	Employee Training	500.00	1,500.00	2,000.00
		<a href="#">11000-1001-57160</a>	Telecommunications	0.00	500.00	500.00
		<a href="#">11000-2001-51020</a>	Salaries - Full-Time Positions	147,252.00	14,000.00	161,252.00
		<a href="#">11000-2001-52010</a>	FICA - Regular	9,130.00	870.00	10,000.00
		<a href="#">11000-2001-52011</a>	FICA - Medicare	2,136.00	203.00	2,339.00
		<a href="#">11000-2001-52020</a>	Retirement	12,738.00	1,250.00	13,988.00
		<a href="#">11000-2001-53030</a>	Travel - Employees	1,000.00	1,000.00	2,000.00
		<a href="#">11000-2001-54040</a>	Maintenance & Repairs - Vehicles	0.00	500.00	500.00
		<a href="#">11000-2001-56020</a>	Supplies - General Office	500.00	500.00	1,000.00
		<a href="#">11000-2001-56040</a>	Supplies-Furniture/Fixtures/Equip...	500.00	10,000.00	10,500.00
		<a href="#">11000-2001-57050</a>	Employee Training	1,000.00	500.00	1,500.00
		<a href="#">11000-2001-57160</a>	Telecommunications	1,200.00	500.00	1,700.00
		<a href="#">11000-2002-54010</a>	Maintenance & Repairs - Building/...	10,000.00	15,000.00	25,000.00
		<a href="#">11000-2002-54050</a>	Maintenance & Repair - Furniture/...	2,000.00	5,000.00	7,000.00
		<a href="#">11000-2002-55999</a>	Contract - Other Services	14,000.00	20,000.00	34,000.00
		<a href="#">11000-2002-56010</a>	Software	15,000.00	10,000.00	25,000.00
		<a href="#">11000-2002-56040</a>	Supplies-Furniture/Fixtures/Equip...	2,000.00	2,500.00	4,500.00
		<a href="#">11000-2002-56050</a>	Supplies - Janitorial/Maintenance	1,500.00	1,000.00	2,500.00
		<a href="#">11000-2002-57070</a>	Insurance - General Liability/Prope...	5,000.00	4,000.00	9,000.00
		<a href="#">11000-2002-57080</a>	Postage	5,000.00	3,000.00	8,000.00
		<a href="#">11000-2002-57170</a>	Utilities - Electricity	6,000.00	6,000.00	12,000.00
		<a href="#">11000-2002-57173</a>	Utilities - Water	4,500.00	500.00	5,000.00
		<a href="#">11000-2002-57800</a>	GRT Administrative Fee	8,000.00	8,000.00	16,000.00
		<a href="#">11000-2004-56020</a>	Supplies - General Office	1,500.00	1,500.00	3,000.00
		<a href="#">11000-2004-56040</a>	Supplies-Furniture/Fixtures/Equip...	1,800.00	2,500.00	4,300.00
		<a href="#">11000-2004-57090</a>	Printing/Publishing/Advertising	0.00	4,500.00	4,500.00
		<a href="#">11000-2004-57150</a>	Subscriptions & Dues	0.00	500.00	500.00
		<a href="#">11000-2004-57160</a>	Telecommunications	1,200.00	2,000.00	3,200.00
		<a href="#">11000-2008-51050</a>	Salaries - Temporary Positions	26,000.00	10,000.00	36,000.00
		<a href="#">11000-2008-56020</a>	Supplies - General Office	2,597.00	1,000.00	3,597.00
		<a href="#">11000-2008-56040</a>	Supplies-Furniture/Fixtures/Equip...	3,000.00	10,000.00	13,000.00
		<a href="#">11000-2014-57150</a>	Subscriptions & Dues	0.00	3,000.00	3,000.00
		<a href="#">11000-3001-54050</a>	Maintenance & Repair - Furniture/...	0.00	2,000.00	2,000.00
		<a href="#">11000-3001-54999</a>	Other Maintenance	0.00	200.00	200.00
		<a href="#">11000-3001-55030</a>	Contract - Professional Services	0.00	4,000.00	4,000.00
		<a href="#">11000-3001-56020</a>	Supplies - General Office	500.00	2,500.00	3,000.00
		<a href="#">11000-3001-56030</a>	Supplies - Field Supplies	0.00	3,000.00	3,000.00
		<a href="#">11000-3001-56040</a>	Supplies-Furniture/Fixtures/Equip...	5,000.00	20,000.00	25,000.00
		<a href="#">11000-3001-56110</a>	Supplies - Uniforms/Linen	0.00	6,000.00	6,000.00
		<a href="#">11000-3002-51020</a>	Salaries - Full-Time Positions	52,000.00	16,000.00	68,000.00
		<a href="#">11000-3002-51050</a>	Salaries - Temporary Positions	54,600.00	16,120.00	70,720.00
		<a href="#">11000-3002-52010</a>	FICA - Regular	6,610.00	1,000.00	7,610.00
		<a href="#">11000-3002-52011</a>	FICA - Medicare	1,546.00	250.00	1,796.00
		<a href="#">11000-3002-52020</a>	Retirement	6,578.00	2,025.00	8,603.00
		<a href="#">11000-3002-53030</a>	Travel - Employees	0.00	4,000.00	4,000.00
		<a href="#">11000-3002-56040</a>	Supplies-Furniture/Fixtures/Equip...	500.00	2,000.00	2,500.00
		<a href="#">11000-3002-56120</a>	Supplies - Vehicle Fuel	1,500.00	1,500.00	3,000.00
		<a href="#">11000-3004-55999</a>	Contract - Other Services	15,000.00	2,000.00	17,000.00
		<a href="#">11000-5101-51060</a>	Salaries - Overtime	0.00	5,000.00	5,000.00
		<a href="#">11000-5101-54040</a>	Maintenance & Repairs - Vehicles	2,000.00	2,000.00	4,000.00
		<a href="#">11000-5101-55999</a>	Contract - Other Services	0.00	5,000.00	5,000.00

Budget Adjustment Register

Packet: GLPKT01557 - FY 2023-2024 BAR #1

<a href="#">11000-5101-56040</a>	Supplies-Furniture/Fixtures/Equip...	1,500.00	2,000.00	3,500.00
<a href="#">11000-5101-56090</a>	Supplies - Safety	0.00	1,500.00	1,500.00
<a href="#">11000-5101-56120</a>	Supplies - Vehicle Fuel	5,000.00	3,000.00	8,000.00
<a href="#">11000-5101-56999</a>	Supplies - Other	500.00	500.00	1,000.00
<a href="#">11000-5101-57130</a>	Rent of Equipment/Machinery	1,000.00	6,000.00	7,000.00
<a href="#">11000-5101-57160</a>	Telecommunications	2,640.00	500.00	3,140.00
<a href="#">11000-5104-54030</a>	Maintenance & Repairs - Grounds...	0.00	2,000.00	2,000.00
<a href="#">11000-5104-57170</a>	Utilities - Electricity	12,000.00	3,000.00	15,000.00
<a href="#">11000-9999-61200</a>	Transfers Out	520,000.00	161,338.00	681,338.00
<a href="#">20900-0001-47499</a>	Other State Grants	0.00	-150,000.00	-150,000.00
<a href="#">20900-3002-58020</a>	Equipment & Machinery	0.00	150,000.00	150,000.00
<a href="#">21220-0001-47122</a>	State-DPS Law Enforcement Retent..	0.00	-225,000.00	-225,000.00
<a href="#">21220-3001-51020</a>	Salaries - Full-Time Positions	0.00	110,400.00	110,400.00
<a href="#">21220-3001-51060</a>	Salaries - Overtime	0.00	50,000.00	50,000.00
<a href="#">21220-3001-52010</a>	FICA - Regular	0.00	9,945.00	9,945.00
<a href="#">21220-3001-52011</a>	FICA - Medicare	0.00	2,326.00	2,326.00
<a href="#">21220-3001-52020</a>	Retirement	0.00	12,382.00	12,382.00
<a href="#">21220-3001-52030</a>	Health and Medical Premiums	0.00	31,116.00	31,116.00
<a href="#">21220-3001-52040</a>	Life Insurance Premiums	0.00	108.00	108.00
<a href="#">21220-3001-52050</a>	Dental Insurance Premiums	0.00	1,886.00	1,886.00
<a href="#">21220-3001-52060</a>	Vision Insurance Medical Premiums	0.00	314.00	314.00
<a href="#">21220-3001-52090</a>	Unemployment Compensation	0.00	398.00	398.00
<a href="#">21220-3001-52100</a>	Workers' Compensation Premium	0.00	6,125.00	6,125.00
<a href="#">29800-0001-47398</a>	Other State Distributions (operati...	-30,000.00	-10,000.00	-40,000.00
<a href="#">30400-0001-47499</a>	Other State Grants	0.00	-196,086.00	-196,086.00
<a href="#">30400-2002-58090</a>	Roadways/Bridges	782,735.96	261,458.00	1,044,193.96
<a href="#">30400-9999-61100</a>	Transfers In	0.00	-161,338.00	-161,338.00
	<b>2023-2024 FINAL Total:</b>	<b>1,045,562.96</b>	<b>39,440.00</b>	<b>1,085,002.96</b>
	<b>Grand Total:</b>	<b>1,045,562.96</b>	<b>39,440.00</b>	<b>1,085,002.96</b>

## Fund Summary

Fund	Before	Adjustment	After
Budget Code:2023-2024 FINAL - FY 2023-2024 Final Budget Fiscal: 2023-2024			
11000	292,827.00	145,406.00	438,233.00
20900	0.00	0.00	0.00
21220	0.00	0.00	0.00
29800	-30,000.00	-10,000.00	-40,000.00
30400	782,735.96	-95,966.00	686,769.96
<b>Budget Code 2023-2024 FINAL Total:</b>	<b>1,045,562.96</b>	<b>39,440.00</b>	<b>1,085,002.96</b>
<b>Grand Total:</b>	<b>1,045,562.96</b>	<b>39,440.00</b>	<b>1,085,002.96</b>

State of New Mexico - DFA Local Government Division  
 Budget Adjustment Request - Rio Communities (City) - 2024  
 BAR #1 FY 2023-2024

Bar ID	Contact	Phone	Email	Status
13-252-14998				ENTITY

**Details**

Fund	Department	Object Code	PreAdjusted Budget	Adjustment	Adjusted Budget
11000 General Operating Fund	0001 No Department	10104 State Required Reserve	135,721.25	0.00	135,721.25
11000 General Operating Fund	0001 No Department	41250 Gross Receipts Tax - Municipal Local Option General	403,000.00	130,000.00	533,000.00
11000 General Operating Fund	0001 No Department	41259 CMP - Compensating Tax	2,200.00	3,500.00	5,700.00
11000 General Operating Fund	0001 No Department	42401 GRT Shared - Municipal Equivalent Distribution	275,000.00	140,000.00	415,000.00
11000 General Operating Fund	0001 No Department	43300 Building Permit	1,000.00	1,000.00	2,000.00
11000 General Operating Fund	0001 No Department	46900 Miscellaneous - Other	0.00	850.00	850.00
11000 General Operating Fund	0001 No Department	61200 Transfers Out	520,000.00	161,338.00	681,338.00
11000 General Operating Fund	1001 Governing Body	53010 Travel - Elected Officials	500.00	4,000.00	4,500.00
11000 General Operating Fund	1001 Governing Body	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	0.00	1,000.00	1,000.00
11000 General Operating Fund	1001 Governing Body	57050 Employee Training	500.00	1,500.00	2,000.00
11000 General Operating Fund	1001 Governing Body	57160 Telecommunications	0.00	500.00	500.00
11000 General Operating Fund	2001 Manager	51020 Salaries - Full-Time Positions	147,252.00	14,000.00	161,252.00
11000 General Operating Fund	2001 Manager	52010 FICA - Regular	9,130.00	870.00	10,000.00
11000 General Operating Fund	2001 Manager	52011 FICA - Medicare	2,136.00	203.00	2,339.00
11000 General Operating Fund	2001 Manager	52020 Retirement	12,738.00	1,250.00	13,988.00
11000 General Operating Fund	2001 Manager	53030 Travel - Employees	1,000.00	1,000.00	2,000.00
11000 General Operating Fund	2001 Manager	54040 Maintenance & Repairs - Vehicles	0.00	500.00	500.00
11000 General Operating Fund	2001 Manager	56020 Supplies - General Office	500.00	500.00	1,000.00
11000 General Operating Fund	2001 Manager	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	500.00	10,000.00	10,500.00
11000 General Operating Fund	2001 Manager	57050 Employee Training	1,000.00	500.00	1,500.00
11000 General Operating Fund	2001 Manager	57160 Telecommunications	1,200.00	500.00	1,700.00
11000 General Operating Fund	2002 General Administration	54010 Maintenance & Repairs - Building/Structure	10,000.00	15,000.00	25,000.00
11000 General Operating Fund	2002 General Administration	54050 Maintenance & Repair - Furniture/Fixtures/Equipment	2,000.00	5,000.00	7,000.00
11000 General Operating Fund	2002 General Administration	55999 Contract - Other Services	14,000.00	20,000.00	34,000.00
11000 General Operating Fund	2002 General Administration	56010 Software	15,000.00	10,000.00	25,000.00
11000 General Operating Fund	2002 General Administration	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	2,000.00	2,500.00	4,500.00
11000 General Operating Fund	2002 General Administration	56999 Supplies - Other	2,500.00	1,000.00	3,500.00
11000 General Operating Fund	2002 General Administration	57070 Insurance - General Liability/Property	5,000.00	4,000.00	9,000.00
11000 General Operating Fund	2002 General Administration	57080 Postage	5,000.00	3,000.00	8,000.00



11000 General Operating Fund	2002 General Administration	57170 Utilities - Electricity	6,000.00	6,000.00	12,000.00
11000 General Operating Fund	2002 General Administration	57173 Utilities - Water	4,500.00	500.00	5,000.00
11000 General Operating Fund	2002 General Administration	57800 GRT Administrative Fee	8,000.00	8,000.00	16,000.00
11000 General Operating Fund	2004 Finance/Budget/Accounting	56020 Supplies - General Office	1,500.00	1,500.00	3,000.00
11000 General Operating Fund	2004 Finance/Budget/Accounting	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	1,800.00	2,500.00	4,300.00
11000 General Operating Fund	2004 Finance/Budget/Accounting	57090 Printing/Publishing/Advertising	0.00	4,500.00	4,500.00
11000 General Operating Fund	2004 Finance/Budget/Accounting	57150 Subscriptions & Dues	0.00	500.00	500.00
11000 General Operating Fund	2004 Finance/Budget/Accounting	57160 Telecommunications	1,200.00	2,000.00	3,200.00
11000 General Operating Fund	2008 Municipal Clerk	51050 Salaries - Temporary Positions	26,000.00	10,000.00	36,000.00
11000 General Operating Fund	2008 Municipal Clerk	56020 Supplies - General Office	2,597.00	1,000.00	3,597.00
11000 General Operating Fund	2008 Municipal Clerk	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	3,000.00	10,000.00	13,000.00
11000 General Operating Fund	2014 Economic/Community Development	57150 Subscriptions & Dues	0.00	3,000.00	3,000.00
11000 General Operating Fund	3001 Law Enforcement	54050 Maintenance & Repair - Furniture/Fixtures/Equipment	0.00	2,000.00	2,000.00
11000 General Operating Fund	3001 Law Enforcement	54999 Other Maintenance	0.00	200.00	200.00
11000 General Operating Fund	3001 Law Enforcement	55030 Contract - Professional Services	0.00	4,000.00	4,000.00
11000 General Operating Fund	3001 Law Enforcement	56020 Supplies - General Office	500.00	2,500.00	3,000.00
11000 General Operating Fund	3001 Law Enforcement	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	5,000.00	20,000.00	25,000.00
11000 General Operating Fund	3001 Law Enforcement	56110 Supplies - Uniforms/Linen	0.00	6,000.00	6,000.00
11000 General Operating Fund	3001 Law Enforcement	56999 Supplies - Other	0.00	3,000.00	3,000.00
11000 General Operating Fund	3002 Fire Protection	51020 Salaries - Full-Time Positions	52,000.00	16,000.00	68,000.00
11000 General Operating Fund	3002 Fire Protection	51050 Salaries - Temporary Positions	54,600.00	16,120.00	70,720.00
11000 General Operating Fund	3002 Fire Protection	52010 FICA - Regular	6,610.00	1,000.00	7,610.00
11000 General Operating Fund	3002 Fire Protection	52011 FICA - Medicare	1,546.00	250.00	1,796.00
11000 General Operating Fund	3002 Fire Protection	52020 Retirement	6,578.00	2,025.00	8,603.00
11000 General Operating Fund	3002 Fire Protection	53030 Travel - Employees	0.00	4,000.00	4,000.00
11000 General Operating Fund	3002 Fire Protection	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	500.00	2,000.00	2,500.00
11000 General Operating Fund	3002 Fire Protection	56120 Supplies - Vehicle Fuel	1,500.00	1,500.00	3,000.00
11000 General Operating Fund	3004 Animal Control	55999 Contract - Other Services	15,000.00	2,000.00	17,000.00
11000 General Operating Fund	5101 Public Works	51060 Salaries - Overtime	0.00	5,000.00	5,000.00
11000 General Operating Fund	5101 Public Works	54040 Maintenance & Repairs - Vehicles	2,000.00	2,000.00	4,000.00
11000 General Operating Fund	5101 Public Works	55999 Contract - Other Services	0.00	5,000.00	5,000.00
11000 General Operating Fund	5101 Public Works	56040 Supplies - Furniture/Fixtures/Equipment (Non-Capital)	1,500.00	2,000.00	3,500.00
11000 General Operating Fund	5101 Public Works	56120 Supplies - Vehicle Fuel	5,000.00	3,000.00	8,000.00
11000 General Operating Fund	5101 Public Works	56999 Supplies - Other	4,000.00	2,000.00	6,000.00
11000 General Operating Fund	5101 Public Works	57130 Rent of Equipment/Machinery	1,000.00	6,000.00	7,000.00

11000 General Operating Fund	5101 Public Works	57160 Telecommunications	2,640.00	500.00	3,140.00
11000 General Operating Fund	5104 Highways and Streets	54030 Maintenance & Repairs - Grounds/Roadways	0.00	2,000.00	2,000.00
11000 General Operating Fund	5104 Highways and Streets	57170 Utilities - Electricity	12,000.00	3,000.00	15,000.00
20900 Fire Protection	0001 No Department	47499 Other State Grants	0.00	150,000.00	150,000.00
20900 Fire Protection	3002 Fire Protection	58020 Equipment & Machinery	0.00	150,000.00	150,000.00
21220 Laws of 2023-Recruitment-LER	0001 No Department	47122 State -DPS Law Enforcement Retention Appropriation	0.00	225,000.00	225,000.00
21220 Laws of 2023-Recruitment-LER	3001 Law Enforcement	51020 Salaries - Full-Time Positions	0.00	225,000.00	225,000.00
29900 Other Special Revenue	0001 No Department	47398 Other State Distributions (operational)	30,000.00	10,000.00	40,000.00
30400 Road/Street Projects	0001 No Department	47499 Other State Grants	0.00	196,086.00	196,086.00
30400 Road/Street Projects	0001 No Department	61100 Transfers In	0.00	161,338.00	161,338.00
30400 Road/Street Projects	2002 General Administration	58090 Roadways/Bridges	600,000.00	261,458.00	861,458.00

**Justification**

Compliance with Section 6-6-2, NMSA, 1978 compilation:

1. The requested budget adjustments were authorized at a scheduled Governing Body meeting open to the public on **2023-12-11**
2. Justification should provide a sufficient explanation for budget adjustment. Backup documentation such as grant award letter or other documents requested by Budget and Finance Analysts, should be submitted on LGBMS.

**Approvals**

Name	Role	Date
	Entity Submitter	
	Analyst	
	Bureau Chief	

STATE OF NEW MEXICO  
CITY OF RIO COMMUNITIES

RESOLUTION NUMBER: 2023-26

A RESOLUTION ADOPTING A TRAVEL POLICY RELATING TO THE REIMBURSEMENT AND TRAVEL FOR PER DIEM AND MILEAGE EXPENSES FOR PUBLIC OFFICERS AND EMPLOYEES OF THE CITY WHILE ON OFFICIAL CITY BUSINESS

**WHEREAS,** the state Per Diem and Mileage Act (§§10-8-1 to 10-8-8 NMSA 1978) and the state Administrative Code (2.42.2 NMAC) governs the reimbursement for travel of all public officers and employees of local public bodies; and

**WHEREAS,** the state Per Diem and Mileage Act authorizes the City to adopt, by resolution, regulations relating to the Per Diem and Mileage act including reducing or eliminating per diem and mileage reimbursement (§10-8-8B NMSA 1978).

**NOW, THEREFORE,** BE IT RESOLVED that the Governing Body of the City of Rio Communities adopts this policy for public officers and employees for mileage and per diem reimbursement, such as travel expenses, attending meetings, or travel advance.

**PASSED, APPROVED AND ADOPTED THIS 29<sup>th</sup> DAY OF DECEMBER 2023 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.**

**City of Rio Communities Governing Body**

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

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

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

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

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

ATTEST:

\_\_\_\_\_  
Martin D. Moore, Acting Municipal Clerk

**CITY OF RIO COMMUNITIES**  
**TRAVEL POLICIES**

**OBJECTIVE**

The City of Rio Communities will follow the state statutes and regulations as set forth in 10-8-1 to 10-8-8 NMSA 1978, and NMAC 2.42.2 to 2.42.2.14. The objective of this policy is to establish uniform rules, regulations, and guidelines related to the approval request for travel, and reimbursement of expenses and per diem while conducting City business during travel based on a 24-hour period.

**TRAVELER RESPONSIBILITY**

Any individuals authorized by the City Manager or elected officials to travel utilizing public funds are required to complete, prior to travel, the appropriate travel forms and provide required documentation depending on the travel situation. The individual asking for the travel request is responsible for providing accurate information.

**TRAVEL REQUIREMENTS**

Any individuals authorized by the City Manager or elected officials to travel utilizing public funds are required to complete, prior to travel, the appropriate travel forms and provide required documentation depending on the travel situation. The individual asking for the travel request is responsible for providing accurate information.

- A. All requests for in state and out-of-state travel by a public officer or employee shall be requested on approved travel forms ;any request not completed on the required forms will not be processed. Requests must be approved by the city manager or designee prior to departure, except as otherwise noted. All out-of-state travel must be approved in writing at least two weeks prior but not less than five days prior to departure by the City Manager or designee. The Finance Department will review all requests for travel to ensure budgetary sufficiency and adherence to policy and may recommend denial if sufficient budget does not exist.
- B. The request to travel must include **ALL** necessary and relevant information/supporting documentation such as appropriate brochures, agendas, schedules, or other information detailing the travel. Any requests not completed with the required information will not be processed. It is the responsibility of the individual who is requesting funds to ensure that all information is included.
- C. City Employees/public officers can receive either per diem (in extraordinary circumstances with prior City Manager or designee approval) or reimbursement of actual expenses when overnight lodging is required, **NOT BOTH**. Per Diem and actual expenses cannot be mixed, public officers or employees will not be eligible to receive per diem or reimbursement of actual expenses if destination is thirty-five (35) miles or

less from the designated post of duty. Destinations exceeding thirty-five (35) miles will be eligible for fixed meal allowance. Overnight travel will only be granted for destinations exceeding sixty-five (65) miles from the designated post of duty or when determined necessary by the City Manager or designee.

- D.** Travel for educational purposes is based on budgetary allowances and shall be limited to: for any and all public officers or employees, no more than thirty (30) calendar days of per diem or actual expense reimbursement in any fiscal year, unless approval by the City Manager or designee is obtained.
- E.** Under the IRS's regulations, reimbursements for ordinary and necessary business-related expenses of fixed meal allowance, mileage, academy training, conferences, seminars, and all other travel will not be lavish or extravagant but will be to the destination most economical to the taxpayers of the City of Rio Communities.
- F.** Employees/public officers are encouraged to use a city vehicle, if available, for work-related travel and persons attending the same functions should make an effort to commute together to save mileage costs. An employee, public officer or non-salaried public official must have a valid driver's license to operate a City Vehicle.
- G.** The governing body may eliminate or may reduce the rates set for the per diem and mileage for all or any class of public officials and employees of the local public body at any time the local public body deems it to be in the public interest, and such reduction shall not be construed to permit payment of any other compensation, perquisite, or allowance

## **TRAVEL PROCUREMENT PROCEDURES**

Applicability: Travel expenses, excluding personal meals, may be purchased with a City of Rio Communities Purchasing Card (P-Card).

- A.** Prepayment of conference or training/workshop fees should be made with a P-Card.
- B.** When using a P-Card to pay for travel expenses, care should be taken to use vendors who will issue refunds or allow for future use of services purchased in the event the travel does not occur.
- C.** Individuals who do not complete travel plans for which expenses were paid on a P-Card and have not been successful in receiving a credit will be required to reimburse the city for those expenses unless a valid reason is provided.

## **CONFERENCE MEALS AND LODGING**

Applicability: Overnight lodging and conference meals. A “conference meal” is defined as a meal that is offered for separate purchase by the conference/training or is provided by the conference/training.

- A. When meals are included in conference/training fees, or otherwise provided, the actual meal allowed amount or per diem meal reimbursement must be reduced by one-third of the daily maximum allowed for each meal provided.
- B. Continental breakfast provided by a hotel, or by a conference, does not require a reduction in the daily maximum. A reduction is not required when conference or hotel materials clearly indicate a “continental” breakfast is provided.
- C. In order to determine whether any meals are included in the conference/training fee, public officer or employee must provide a copy of the conference/training materials that provide this information.

## **DEDUCTIONS FOR MEALS FURNISHED/PROVIDED**

Applicability: Deductions for furnished/provided meals will be deducted for actual meals, per diem, or travel advance.

- A. Conference Meal as defined in the subsection above
- B. Hotel provides a full breakfast or breakfast buffet

## **PER DIEM RATES**

Applicability: Per Diem will **ONLY** be authorized in **EXTRAORDINARY CASES** and must have the approval and signature of the **CITY MANAGER** or designee prior to travel arrangements being made. Per Diem shall be paid only in accordance with the provisions set forth in this section without regard to whether expenses are actually incurred. When lodging and/or meals are provided or paid for by the City of Rio Communities, or another governmental entity, the public officer or employee is only entitled to reimbursement of actual expenses under 10-8-4 (B) & (C), NMSA 1978, 2.42.9 NMAC. Per Diem will not be authorized for any public officer or employee who, while traveling, takes sick, annual, or authorized leave without pay for more than four 4 hours of the normal workday.

- A. *Per Diem Computation:* Per Diem rates for travel by public officers and employees, where overnight lodging does not apply will be expensed as follows;

*Partial Day/Return from Overnight Travel Per Diem Computation:* To calculate the number of hours in the partial day, begin with the time the traveler initially departed on

the travel and divide the total number of hours traveled by 24. The number of hours remaining constitute the partial day which shall be reimbursed as follows per the current rates as established by the Department of Finance & Administration (DFA) as required by 10-8-4 (B) & (C), NMSA 1978. The calculation is based on consideration of the standard rates established by the United States general services administration.

- (1) For less than 2 hours of travel beyond the normal workday, none;
- (2) For 2 hours, but less than 6 hours beyond the normal workday, per DFA current rate.
- (3) For 6 hours, but less than 12 hours beyond the normal workday, per DFA current rate.
- (4) For 12 hours or more beyond the normal workday, per DFA current rate.

**B. Overnight Per Diem (meals and lodging) Computation:**

- (1) In-state areas per DFA current rate.
- (2) In-state special rate per DFA current rate.
- (3) Out-of-state areas per DFA current rate.
- (4) Or actual lodging and meal expenses under 10-8-4, NMSA; 2.42.2.9 NMAC

\*Santa Fe is the only high-cost area in New Mexico

\*\*Out-of-state means beyond the exterior boundaries of the State of New Mexico

- C. Meals provided by either the hotel, conference, training, etc., will be deducted by one third of the maximum fixed meal allowance for each meal provided.

## **REIMBURSEMENT OF ACTUAL EXPENSES**

Travel rates for reimbursement of actual expenses for travel will be as follows:

- A. Actual Reimbursement for Lodging:** A public officer or an employee may elect to be reimbursed actual expenses for lodging not exceeding the single occupancy room charge (including applicable taxes) in lieu of the per diem rate set forth in this Section. Whenever possible, public officers and employees should stay in hotels which offer government rates. Agencies, public officers, or employees who incur lodging expenses in excess per DFA current rate per night for out-of-state travel must obtain prior written approval from the City Manager or designee, with the date approval was obtained clearly written on the travel voucher. Should prior approval not be obtained, the City will only pay up to the overnight per diem rate.
- B. Actual Reimbursement for Meals:** Actual expenses for meals are limited by Section 10-8-4(K) (2)1978 NMSA, refer to the link listed in per diem computation to see the to a maximum per DFA current rate for Santa Fe or out-of-state travel for a 24-hour period regardless of amounts spent or receipts submitted. (Note: the amount cannot include any alcoholic beverages.)

- (1) Meals, food, snacks, drinks, etc., are not allowed to be purchased using procurement cards (P-Cards). Public Officers and employees will be required to pay for their own meals using personal funds and upon return request reimbursement.
- (2) Reimbursement will only be considered if all required documentation is provided (including the original detailed itemized receipt(s)), and all required approval signatures are present.
- (3) Reimbursement will follow the following meal rates (per DFA current rate) not to exceed a maximum for in-state travel and Santa Fe or out-of-state travel for a 24-hour period as per Section 10-8-4 (K) (2), NMSA 1978.
  - i. For less than 2 hours of travel, none;
  - ii. For 2 hours, but less than 6 hours, per DFA current rate
  - iii. For 6 hours, but less than 12 hours, per DFA current rate
  - iv. For 12 hours or more, per DFA current rate

C. When lodging and/or meals are provided or paid for by the City of Rio Communities, or another governmental entity, the public officer or employee is only entitled to reimbursement of actual expenses under 2.42.9 NMAC.

- (1) Meals provided will be deducted by one third of the maximum fixed meal allowance for each meal that is provided.

D. Receipts Required: A public officer or employee must submit original detailed itemized receipts for the actual meal and lodging expenses incurred.

- (1) Public officers or employees who habitually violate this section of the travel policy will not be authorized to submit for reimbursement of actual expenditures in lieu of per diem.
- (2) Lost Receipts/Non-Itemized Original Receipts: Under no circumstances will a public officer or employee be reimbursed without an original receipt.

A photocopy **WILL NOT** be accepted in lieu of an original detailed itemized receipt for reimbursement.

E. Return from Overnight Travel: On the last day of travel when overnight lodging is no longer required, reimbursement of actual expenses will be limited to the partial day per diem rates. To calculate the number of hours in the partial day, begin with the time the traveler initially departed on the travel and divided the total number of hours traveled by 24. The number of hours remaining constitute the partial day which shall be reimbursed as follows;

- (1) For less than 2 hours of travel, none;
- (2) For 2 hours, but less than 6 hours, per DFA current rate
- (3) For 6 hours, but less than 12 hours, per DFA current rate
- (4) For 12 hours or more, per DFA current rate



## **REIMBURSEMENT FOR OTHER EXPENSES**

Applicability: Public officers and employees may be reimbursed for certain actual expenses

**A. Receipts Required:** Public officers and employees may be reimbursed for the following expenses provided that original detailed itemized receipts for all such expenses are attached to the travel voucher.

- (1) Actual costs for travel by common carrier provided such travel is accomplished in the most economical manner practical. Total mileage reimbursement for out-of-state travel by privately owned automobile or privately owned airplane shall not exceed the total coach class commercial airfare that would have been reimbursed those traveling had they traveled by common carrier.
- (2) Rental cars or charter aircraft provided less expensive transportation is not available or appropriate. Rental cars (and rental car rates) must be approved by City Manager or designee in advance if at all possible.
- (3) Registration fees for education programs or conferences, provided, if the fee includes lodging or meals, then no per diem rates shall be paid and only actual expenses paid by the public officer or employee and not included in the fee shall be reimbursed with the limits based on the Reimbursement of Actual Expenses section of this policy.
  - i. An all-inclusive travel event in which registration/conference and/or training includes hotel and meals then the traveler will only be eligible for fixed meal allowance on travel days to and from the event. No other actual meal expenses are eligible for reimbursement.
- (4) Professional fees or dues that are beneficial to the agency's operations or mission

**B.** A public officer or employee will **NOT** be reimbursed for the aforementioned expenses without original detailed itemized receipts.

**C. Receipts not required:** Public officers and employees may be reimbursed without receipts for the following expenses in an amount of \$6.00 per day not to exceed a total of \$30.00 per trip:

- (1) taxi or other transportation fares, such as Uber, etc., at the destination of the traveler.
- (2) Parking fees
- (3) If more than \$6.00 per day or \$30.00 per trip is claimed, the entire amount of the reimbursement claim must be accompanied by receipts.

## **MILEAGE REIMBURSEMENT for TRAVEL BY PRIVATE CONVEYANCE**

Elected officials and employees of the City of Rio Communities shall be reimbursed for travel by private conveyance is the discharge of official duties as follows:

- A. Mileage Reimbursement Rates:
  - (1) Privately owned vehicle at a rate of 100% of the mileage rate allowable for business travel purposes set by the United State Internal Revenue Service standard mileage rate set January 1 of the previous year.
  - (2) Privately owned aircraft - \$ .88 per nautical mile.
- B. Mileage may be reimbursed based up chart/map mileage or actual mileage. Chart/map mileage is reimbursed strictly on distances shown on the chart or Rand McNally.com. If destination is not on the chart, then Rand McNally.com will be used from mileage from City limit to City limit. Any actual mileage claimed in excess of twenty (20) miles beyond map mileage will require odometer readings before and after the additional travel. Justification for the additional travel is also required.
- C. Actual mileage shall require odometer readings before and after travel, purpose of travel, starting and ending time and destination, rate per mile or any other predetermined rate.
- D. When at all possible, the use of a city vehicle when traveling for City business is recommended. **A public officer or employee may not be eligible for mileage reimbursement if a city vehicle is made available for use during travel. Any exceptions to this will require the approval and signature of the City Manager or designee prior to travel.**
- E. Mileage reimbursement must be requested on a City of Rio Communities Advance (or Return) Travel Form .

## **TRAVEL ADVANCES**

- A. In extraordinary cases with prior City Manager approval an employee may apply for up to 80% of travel expenses in advance of travel at least 2 weeks prior to the scheduled travel date. All supporting documentation must be attached to the advance travel form for processing. Failure to provide documentation will delay payment request.
- B. All requests for 20% reimbursement of travel expenses must be turned in within 10 days of your return trip or reimbursement request will be delayed. All supporting documentation, including any certificates obtained, must be attached to the return travel form for processing and a copy of the certification must be provided to the Finance Department to be filed in the employee's respective personnel file.

- C. Public Officer or employee shall remit, within five (5) working days of the return from the trip, a refund of any excess advance payment to the City of Rio Communities.
- D. Meals provided by either the hotel, conference, training, etc., will be deducted by one third of the maximum fixed meal allowance for each meal provided.
- E. Public Officer or employee is required to reimburse the city if travel did not occur or was of shorter duration than expected and the 80% advance is greater than the per diem amount the employee may claim.

### **CITY DAY TRAVEL**

- A. A Travel Request Form is required for day travel outside of City limits, for areas over thirty-five (35) mile outside the City of Rio Communities municipal boundaries, and/or travel that exceeds an employee's regularly scheduled workday by two or more hours.
- B. A copy of the Day Travel meal will be turned into Payroll for compliance with IRS regulations of fringe benefits.
- C. Approval from the employee's supervisor must be obtained prior to the day of travel. A copy of the approved Travel Request/Reimbursement Form will be filed by the Finance Director or designee.
- D. No day trip meal allowance will be paid when the public officer or employee receives a provided meal, regardless of amount.
- E. According to 10-8-4, NMSA 1978; NMAC 2.42.2.8: City Day travel will be on partial day meal rates:
  - (1) for less than 2 hours of travel beyond normal workday, none
  - (2) for 2 hours, but less than 6 hours beyond the normal workday, per DFA current rate;
  - (3) for 6 hours, but less than 12 hours beyond the normal workday, per DFA current rate;
  - (4) for 12 hours or more beyond the normal workday, per DFA current rate;
- F. A public officer or employee, who travels on an irregular basis more than forty (40) miles from his designated post of duty, may be eligible for one meal up to a maximum per DFA current rate for Santa Fe or out-of-state depending on the destination, provided that no meal was provided for the travel event.
  - (1) Meal cannot be charged to the P-Card.
  - (2) Reimbursement will be processed through payroll as it is considered a fringe benefit.

## **CITY DAY TRAVEL EXCEPTIONS**

ONLY City emergency and public safety personnel while performing transports of individuals as part of their job responsibilities may use a city issued P-Card to charge day meals.

## **TRAINING/CERTIFICATION/TESTING RELATED TRAVEL**

Travel related expenses to attend training/testing to obtain job related licensure and/or certification will be covered by the city for the first attempt to pass/obtain. The second attempt to pass/obtain licensure and/or certification will be at the employee's expense, with reimbursement at the City of Rio Communities' discretion, if any of the cost will be reimbursed to the employee.

## **UNAUTHORIZED CHARGES/EXPENSES**

Unauthorized expenses include, but are not limited to the list below:

- A. Meals/food, snacks, drinks, etc. charged to the City of Rio Communities Procurement Card (P-Card).
- B. Tips/Gratuities are not allowed and will not be eligible for reimbursement. They are solely at the expense of the public officer/employee.
- C. Honor Bar charges.
- D. Movie Charges.
- E. Internet charges (unless prior approval is obtained by the City Manager and must be used to conduct City business **ONLY**).
- F. Alcohol charges are not allowed and will not be eligible for reimbursement. They are solely at the expense of the public officer/employee.
- G. Any personal charge.
- H. Spouse or family charge.
- I. Any person not authorized for travel.
- J. Any charge incurred while not on official City business.
- K. Gas in a personal vehicle.

## **MISCELLANEOUS**

- A.** Under no circumstances are alcoholic beverages to be charged or reimbursed to any public officer or employee.
- B.** Room service charge and lounge charges MUST have an original detailed itemized receipt. If these charges are not accompanied by an original detailed itemized receipt. The employee will only be eligible for reimbursement of the actual cost of food.
- C.** Under no circumstances shall reimbursements be made for unauthorized travelers.
- D.** A public officer or employee authorized to travel may claim their individual travel and related expenses only.
- E.** Under no circumstances will total lodging charges or reimbursements exceed per DFA current rates, for in-state travel or for out-of-state travel unless prior written City Manager approval is obtained.
- F.** Under no circumstances will total meal reimbursements exceed current DFA rates per day (24 Hour period) for in-state travel, for Santa Fe or out-of-state travel.
  - (1)** Meal delivery charges assessed by the restaurant will be allowed reimbursable expenses and will be calculated as part of the meal allocation.
  - (2)** Grub Hub and other meal delivery charges are allowed reimbursable expenses and will be calculated as part of the meal allocation.
- G.** Requests for reimbursement checks will only be processed once a week on Thursday. Reimbursement requests with all documentation and signatory approval including the City Manager or designee will need to be turned into the Finance Department no later than Monday.
- H.** Any questions regarding this policy should be addressed through the City of Rio Communities Finance Department.
- I.** Any public officer or employee subject to this policy who knowingly authorized or who knowingly accepts payments in excess of the amount authorized by this policy and the governing board pursuant to NMSA §10-8-5, and §10-8-7, is liable to the City in an amount that is twice the excess payment in addition to possible personnel action, up to and including termination from City employment, and legal action authorized by law.
- J.** Any requests not completed on the required forms will not be processed.
- K.** Requests not completed with the required documentation/information will not be processed.

- L. It is the responsibility of the department and the individual who receives funds to ensure that all information/documentation provided in relation to a request for travel, fixed meal allowance [per diem (in extraordinary cases), actual meal reimbursement], or mileage is accurate.

### **CLARIFICATION**

Items not addressed in this policy and/or items which are addressed but are not clear shall be subject to the provisions of article 8, sections 10-8-1 through 10-8-8 New Mexico Statutes Annotated, 1978, cited as the per diem and mileage act as Interpreted by DFA rule 95-1 as stipulated.

**CITY OF RIO COMMUNITIES, NEW MEXICO**

**OPEN MEETINGS ACT  
RESOLUTION 2023 - 27**

**A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND THE  
PUBLIC NOTICE REQUIRED**

**WHEREAS**, the Governing Body of the City of Rio Communities met in regular session at the City Council Chambers, 360 Rio Communities Blvd., Rio Communities, NM on December 29, 2023, at 6:00 p.m. as required by law for the purpose of establishing notice requirements for the year 2024; and

**WHEREAS**, Section 10-15-1 (B) NMSA 1978 provides that "All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of such body, are declared to be public meetings open to the public at all times, except as otherwise provided in the Constitution of New Mexico or the provision of the Open Meetings Act"; and

**WHEREAS**, Section 10-15-3 (A), NMSA 1978 provides that "No resolution, rule, regulation, ordinance or action of any board, commission, committee or other policymaking body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA 1978"; and

**WHEREAS**, Section 10-15-4, NMSA 1978 provides that "Any person violating any of the provisions of Section 10-15-1 or 10-15-2 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense"; and

**WHEREAS**, Section 10-15-1 (D) requires that "Any meetings at which the discussion or adoption of any proposed resolution, rule, regulation, or formal action occurs, and at which a majority or quorum of the body is in attendance and any closed meetings, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting shall be reasonable when applied to that body."

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the City of Rio Communities, New Mexico that:

1. Notice shall be given Seventy-Two hours (72) in advance of any regular meeting of a quorum of the members of the governing body or any board, commission,

committee, agency, authority, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body. The governing body so states that a draft agenda will be sent to the press no later than Seventy-Two hours (72) in prior to a regular meeting of a quorum of the members of the governing body or any board, commission, committee, agency, authority, or other policy-making body held for the purpose of such body.

2. The regularly scheduled meetings of the governing body will be held at 6:00 P.M. on the second and fourth Monday each month in the City Council Chambers located at 360 Rio Communities Blvd, Rio Communities, New Mexico. In the event that the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and/or time to be published as provided in this Resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be published as provided in this Resolution.

A member of the governing body may participate in a meeting of the governing body by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the governing body who speaks during the meeting.

3. Notice shall be given at least Seventy-Two hours (72) in advance of any special meeting of a quorum of the members of the governing body, board, commission, committee, agency, authority, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.

4. The notice requirements of Section 1, 2 and 3 of this Resolution are complied with if notice of the date, time, place, and subject matter of any regular or special meeting of a quorum of the members of the governing body, board, commission, committee, agency, authority, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body is published Seventy-Two hours (72) in advance.

Additionally, the notice shall contain information on how the public may obtain a copy of the meeting agenda, said agenda to be at least seventy-two (72) hours prior to the meeting. "Publish" means printing in a newspaper which maintains an office in the municipality and is of general circulation within the municipality. If such newspaper is a non-daily paper which will not be circulated to the public in time to meet publication



requirements, or, if no such newspaper exists, "publish" shall mean posting in at least six (6) public places within the municipality, the city website; one of the public places where posting shall be made is the office of the municipal clerk, who shall maintain posting for public inspection

5. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The City of Rio Communities will avoid emergency meetings whenever possible. Emergency meetings may be called by the mayor or a majority of the members of the governing body with four hours prior notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the City of Rio Communities will notify the Attorney General's Office.

6. Public places listed below are places where notice may be posted:

Rio Communities Municipal Clerk's Office	Moose Lodge
New Mexico Water Department	Tierra Grande HOA
Rio Communities Fire Department	Oasis Laundry Wash & Fold

The Clerk may, in addition to posting, publish one or more times in a newspaper of general circulation within the municipality, even though it does not maintain an office within the municipality. In addition, written notice of such meetings shall be mailed or faxed to federally licensed broadcast stations and newspapers of general circulation in the municipality, which have provided a written request for such notice.

7. Notwithstanding any other provisions of sections 1 through 6 of this Resolution, Governing Body may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

8. The governing body of the City of Rio Communities may close a meeting to the public only pursuant to exclusions contained in Section 10-15-1, Subsection H, NMSA 1978. If a meeting is closed during an open meeting, such disclosure shall be approved by a majority vote taken during the open meeting. The authority for the closed meeting and subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting. If a closed meeting is called when the governing body of the City of Rio Communities is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed

meeting and the subjects to be discussed with reasonable specificity, is given to the members and the general public.

Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure. Except as provided in Section 10-15-1 (H) of the Open Meetings Act.

Any action taken as a result of discussions in a closed meeting shall be made by a vote of the governing body of the City of Rio Communities in an open meeting.

**PASSED, APPROVED AND ADOPTED THIS 29th DAY OF DECEMBER 2023 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.**

City of Rio Communities Governing Body

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Joshua Ramsell,  
Mayor

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Margaret R. Gutjahr,  
Councilor 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

**STATE OF NEW MEXICO  
CITY OF RIO COMMUNITIES  
RESOLUTION 2023-29**

**Official Holidays**

**WHEREAS,** The Governing Body in and for the City of Rio Communities, State of New Mexico is duly authorized; and

**WHEREAS,** The Governing Body has adopted in the Personnel Policy Manual Resolution 2023-15 Personnel Policy Manual Section 9.2. That all full-time and qualified part-time employees of the City are eligible for legal holidays as adopted annually by resolution.

**WHEREAS,** the attached Addendum A is the official Federal Holidays as approved by the United States Government.

**NOW THEREFORE, BE IT HEREBY RESOLVED** that the governing body of the City of Rio Communities, State of New Mexico, hereby approves the official Federal Holidays for the 2024 year.

**PASSED, APPROVED AND ADOPTED THIS 29<sup>th</sup> DAY OF DECEMBER 2023 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.**

**City of Rio Communities Governing Body**

---

Joshua Ramsell,  
Mayor

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Margaret R. Gutjahr,  
Mayor Pro-tem/Councilor

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Arthur Apodaca,  
Councilor

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Lawrence R. Gordon  
Councilor

---

Jimmie Winters,  
Councilor

ATTEST:

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Martin D. Moore,  
Acting Municipal Clerk



# CITY OF RIO COMMUNITIES

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

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## 2024 OFFICIAL HOLIDAYS Addendum A Official Holidays

<b>New Year's Day</b>	Monday, January 1
<b>Martin Luther King, Jr. Birthday</b>	Monday, January 15
<b>President's Day</b>	Monday, February 19
<b>Memorial Day</b>	Monday, May 27
<b>Juneteenth</b>	Wednesday, June 19
<b>Independence Day</b>	Thursday, July 4
<b>Labor Day</b>	Monday, September 2
<b>Indigenous Peoples' Day</b>	Monday, October 14
<b>Veterans' Day (Observed)</b>	Monday, November 11
<b>Thanksgiving Day</b>	Thursday, November 28
<b>Christmas Day</b>	Wednesday, December 25

## AGREEMENT

THIS AGREEMENT is made and entered into by and between the City of Rio Communities, N.M. (“City”) and Gayle Jones (“Contractor”).

IT IS AGREED BETWEEN THE PARTIES:

### 1. Scope of Work

The Contractor may, at the request of the City, perform the following work:

- a. Provide advice regarding budget matters;
- b. Provide advice regarding personnel and employment matters;
- c. Provide advice regarding administrative matters;
- d. Provide such other advice, consultation, and take such actions as are requested by the City regarding the administrative duties of the City.

### 2. Compensation

The City will pay to the Contractor in full payment for services satisfactorily performed such compensation not to exceed \$10,000 (ten thousand dollars and no) at a rate of fifty dollars per hour plus applicable gross receipts tax. The New Mexico gross receipts tax levied on the amounts payable shall be paid by the City to the Contractor, but Contractor is solely and completely responsible for payment of all taxes associated with compensation received herein. The total amount payable to the Contractor under this agreement shall not exceed ten thousand dollars. This amount is a maximum and not a guarantee that the work assigned to be performed by the contractor under this Agreement shall equal the amount stated herein. The parties do not intend for the Contractor to continue to provide services without compensation when the total compensation amount is reached, Contractor is responsible for notifying the City when the service provided under this Agreement reaches the total compensation amount. In no event will the Contractor be paid for services provided in excess of the total compensation amount without this Agreement being amended in writing prior to those services in excess of the total compensation amount being provided.

### 3. Term

This Agreement will terminate on June 30, 2024.

### 4. Termination

This Agreement may be terminated immediately upon written notice to the Contract if the Contractor becomes unable to perform the services set forth herein, if the City in its sole discretion deems the services unnecessary, or if the City in its discretion deems that it no longer has the fiscal resources to devote to the contract.

Except as provided elsewhere in this agreement, the City will give Contractor written notice of termination thirty days prior to the intended date of termination.

5. Liability

Except as otherwise expressly allowed or provided under this Agreement, the City's sole liability under this Agreement shall be to pay for acceptable work performed by the Contractor.

6. Status of Contractor

The Contractor is an independent contractor performing professional services for the City and is not an employee of the City. Contractor shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to City employees as a result of this agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the City has given the Contractor express written authority to do so, and then only with the strict limits of that authority.

7. Assignment

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of City.

8. Subcontracting

Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City.

9. Conflicts of Interest

Contractor represents and warrants that she presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under this Agreement.

10. Governmental Conduct Act

Contractor is familiar with and agrees to comply with the provisions of the Governmental Conduct Act.

11. Amendment

This Agreement shall not be altered, changed or amended except by instrument in writing execute by the parties hereto.

12. Merger

This Agreement incorporates all agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants. Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement,

13. Compliance with law

Contractor agrees to abide by all federal and state law and rules and regulations pertaining to equal employment opportunity, workers compensation, the procurement code, and each and every other applicable law, regulation or ordinance.

14. Terms and conditions

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

If any dispute arises between the parties related to this Agreement, the parties agree to first mediate such dispute, and if such mediation is not successful, to arbitrate this matter before a mutually acceptable arbitrator. If the parties cannot agree on an acceptable arbitrator, the parties agree to have an arbitrator appointed by a judge of the Thirteenth Judicial District Court.

IN WITNESS HEREOF, the parties have executed this Agreement.

By:

\_\_\_\_\_  
Joshua Ramsell, Mayor City of Rio Communities

\_\_\_\_\_  
date

\_\_\_\_\_  
Gayle A. Jones

\_\_\_\_\_  
date



**AGREEMENT  
BETWEEN VALENCIA COUNTY  
AND THE CITY OF RIO COMMUNITIES**

**FOR THE PURPOSE OF PROVIDING HOUSING AND CARE OF ADULT PERSONS  
ARRESTED BY THE CITY OF RIO COMMUNITIES OR SENTENCED TO  
DETENTION OR CONFINEMENT PURSUANT TO THE JURISDICTION AND  
AUTHORITY OF THE CITY OF RIO COMMUNITIES MUNICIPAL COURT**

**THIS AGREEMENT** is made and entered into the 1st day of November after referred to as the "County", and City of Rio Communities, hereinafter referred to as the "Municipality," political subdivisions of the State of New Mexico.

**RECITALS**

**WHEREAS**, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to "protect generally the property of its municipality and its inhabitants" and to "preserve peace and order." and;

**WHEREAS**, NMSA 1978, Section 4-38-18 (1876) provides that the Board of County Commissioners has the power to represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law, and;

**WHEREAS**, NMSA 1978, Section 33-3-1 (1984) provides that common jails shall be under the control of the respective sheriffs, independent contractors or jail administrators hired by the board of county commissioners or other local public body or combination thereof, and the same shall be used as prisons in the respective counties; and that contracts between local public bodies and private independent contractors for the operation, or provision and operation, of a jail are specifically authorized, and;

**WHEREAS**, NMSA 1978, Section 33-3-2 (1989) provides that a county may enter into an agreement with other counties and municipalities to provide for the construction, maintenance or operation of one or more jails or correctional or detention facilities for confinement of persons charged with crimes, violations of municipal or county ordinances or committed to jail, and;

**WHEREAS**, NMSA 1978, Section 33-3-13 (1983) provides that all persons charged with crime committed in the state, while awaiting indictment or trial on such charge, shall be incarcerated in the county jail of the county wherein such crime is alleged to have been committed or any facility operated by agreement between such counties or municipalities. An individual may also be incarcerated in a jail not in the County where the underlying offense was committed if the outside jail is being used for temporary places of confinement or if the Sheriff or Jail administrator determine that the life of the individual is in imminent danger in the proper county jail; and,

**WHEREAS**, NMSA 1978, Section 3-18-20 (1965) provides that, "a municipality may use the county jail for the confinement or punishment of offenders subject to the requirements imposed by law and the board of county commissioners," and;



**NOW THEREFORE** the parties hereby agree as follows:

## **AGREEMENT**

### **1. Scope of Responsibilities.**

#### **A.**

**i.** The County agrees to confine and house all individuals, who are over the age of 18, arrested by Municipal Law Enforcement Officers for violation of the Municipality's Laws or that are sentenced to detention or confinement by the City of Rio Communities Municipal Court (hereinafter "Municipal Detainees") subject to the terms and restrictions of this Agreement.

**ii.** The Municipality will pay the County the sum of \$120.00 per day or any fraction thereof for each Municipal Detainee confined at the Detention Center based upon a billing cycle of 12:01 a.m. (Midnight) to 12:00 a.m. (Midnight).

**iii.** Full payment for the above specified service shall be remitted by the Municipality to the County after the Municipality's receipt of the County's itemized monthly billing statement. Bills shall be remitted by the County on or about the first business day of each month and shall contain the names of each the Municipal Detainee and the dates of Detention. Full payment shall be made by the Municipality to the County within thirty (30) days of receipt of the bill, and a copy of the bill and check shall be sent by the Municipality to the Valencia County Treasurer's Office for record keeping purposes.

**iv.** If an inmate is incarcerated by order of more than one Court or detained on more than one jurisdiction's criminal charges, the cost of detaining that inmate shall be prorated among the respective responsible jurisdictions.

**B.** The Municipality is responsible for all transport Municipal Detainees to and from the Valencia County Adult Detention Center (the "Center") and to and from Court proceedings. The Municipality is also responsible for providing all appropriate court orders for booking and release of Municipal Detainees.

**C.** The Municipality agrees to call the Center in advance to verify available space prior to delivering Municipal Detainees for booking. If the Center is at full capacity, the County, through its authorized agent, reserves the right to deny intake in accordance with state and federal regulations.

**D.** If the Detention Center's Warden determines that the Center is at full capacity the Municipality's detainee(s) in the custody of Valencia County will be transported to another detention facility within the State of New Mexico. The Municipality shall pay the County all costs of housing its detainee(s) at the non-Valencia County detention facility. The Detention Center Warden will immediately inform the Municipality of the need to transport the Municipality's Inmate(s) pursuant to this provision.

**E.** The Municipality will give notice to the Center when a Detainee is to be picked up for a court appearance or release and the Center will have Detainees ready to leave when the Municipal

Police Officers arrive at the Center. The Municipal Police Department assumes responsibility for all arrest and notification papers prior to the booking of Detainees. The Municipality agrees to return any Detainee taken from the Center, for whatever reason, for final processing at the Center.

**F.** The County will be responsible for the care, custody, and control of Detainees after such time that he Detainees are delivered and accepted to the Center's custody, along with the necessary paperwork. (1985 Op. Att'y Gen. No. 85-03).

**G.** The Detention Center will not accept Municipal Detainees if they do not clear the Detention Center's initial medical assessment.

**H.** All medical expenses for the treatment of Municipal Detainees who are subject to this Agreement shall be the responsibility of the Municipality. The Detention Center will provide all day to day in house medications and in house clinical care at no additional cost to the Municipality. The City shall reimburse the County for any and all extraordinary and/or non- in-house care. Valencia County will contact the Municipality for prior written authorization for any inmate requiring off-site medical attention in all non-emergency situations. The Municipality agrees to fully reimburse the County of Valencia for all emergency medical services paid by the County of Valencia for Municipal inmates. Notification of emergency situations will be made within twenty-four (24) hours.

**2. Term and Termination.** This Agreement will become effective upon approval both parties. The term of this Agreement is for one (1) year from the date the last party approved this Agreement (the "effective date"). This Agreement will automatically renew each year for an additional year up to a total of four (4) years unless either party gives written notice of its intent to terminate the Agreement. This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination. Termination will only become effective when Municipality removes its last inmate from the Detention Center and compensates Valencia County for all amounts due and owing under this Agreement.

**3. Property.** No property shall be acquired as a result of this Agreement which does not involve the disposition, division, or distribution of any property. The disposition of records generated by performance of this Agreement shall be decided by the parties upon termination.

**4. Surplus Funds.** There will be no surplus money as a result of this Agreement as the fees billed by the County are for services rendered to the Municipality and the fees received by the County will be transferred to the County general fund as required by law.

**S. Strict Accountability of all Receipts and Disbursements.** Each party shall be strictly accountable for all receipts and disbursements under this agreement.

**6. Amendment.** This Agreement shall not be altered, changed, or amended except by instrument in writing executed by the parties.

**7. Governing Law.** This Agreement shall be governed by the laws of the State of New Mexico.

**8. Liability.** Each party shall be solely responsible for fiscal or other sanctions occasioned as a result of its own violation or alleged violation requirements applicable to the performance of this Agreement. The County and the Municipality shall be liable for its actions according to this Agreement subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, *et. seq.*, NMSA 1978, as amended. Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred by the County and/or the Municipality in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, *et. seq.*, NMSA 1978 as amended.

**9. Independent Contractor.** Neither Valencia County nor its employees are considered to be employees of the Municipality for any purpose whatsoever. Valencia County is considered and Independent Contractor at all times in the performance described herein.

**10. Notices.** Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the County: Randy Gutierrez, Warden, P.O. Box 1119, Los Lunas, NM 87031

To the Municipality: Josh Ramsell, Mayor. 360 Rio Communities BLV, City of Rio Communities, 87002

**11. Lead agency.** The County is designated as the lead agency and shall monitor the actions of the Municipality as pertains to this agreement and may take corrective action or terminate this Agreement in the event that, following the receipt of written notice from the County to the Municipality that Municipality is in breach of its payment obligations under this Agreement, the Municipality fails to make payment within fifteen (15) days after receipt of such notice. The Municipality and the County shall report and/or confer with one another upon specific requests.

**12. Repeal of Prior Agreements.** All prior agreements for the housing of City of Rio Communities Inmates are repealed with the approval of this Agreement.

**IN WITNESS WHEREOF,** the parties have executed this Agreement which becomes effective as of the date of approval by both parties.

**BOARD OF COUNTY COMMISSIONERS OF VALENCIA COUNTY**

P.O. Box 1119 / 444 Luna Ave.

Los Lunas, NM 87031

**APPROVED, ADOPTED, AND PASSED** on this \_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Gerard Saiz  
Chair, District I

\_\_\_\_\_  
Jhonathan Aragon  
Vice-Chair, District V

\_\_\_\_\_  
Troy Richardson  
Commissioner, District II

\_\_\_\_\_  
Morris Sparkman  
Commissioner, District III

\_\_\_\_\_  
Joseph Bizzell  
Commissioner, District IV

Attest:

\_\_\_\_\_  
Mike Milam  
Valencia County Clerk

**CITY OF RIO COMMUNITIES GOVERNING BODY**

360 Rio Communities Blvd.  
Rio Communities, NM 87002

**APPROVED, PASSED, AND ADOPTED** on this 29<sup>TH</sup> day of December 2023.

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Joshua Ramsell,  
Mayor

---

Margaret R. Gutjahr,  
Mayor Pro-tem/Councilor

---

Arthur Apodaca,  
Councilor

---

Lawrence R. Gordon  
Councilor

---

Jimmie Winters,  
Councilor

ATTEST:

---

Martin D. Moore,  
Acting Municipal Clerk



**INTERGOVERNMENTAL SERVICES AGREEMENT BETWEEN THE COUNTY OF VALENCIA AND THE CITY OF RIO COMMUNITIES FOR LAW ENFORCEMENT PROTECTION**

**THIS INTERGOVERNMENTAL SERVICES AGREEMENT ("Agreement")** is made by and between the County of Valencia ("County") and the City of Rio Communities ("City").

**RECITALS**

**WHEREAS**, NMSA 1978, Section 3-12-4 (1963) requires a municipality to maintain a "police officer" and NMSA 1978, Section 3-13-2 (1988) sets forth the duties of that municipal police officer(s); and,

**WHEREAS**, the County of Valencia, encompassing the City of Rio Communities, maintains and is served by a Sheriff's Office commanded by a duly elected Sheriff who exercises those powers and duties set forth by NMSA 1978, Section 4-41-1 *et seq.*; and,

**WHEREAS**, the city is creating its own police department and has budgeted a Chief of Police and one officer to get the department started, but will lack adequate manpower to cover the city 24 hours a day, 7 days a week.

**WHEREAS**, it is in the best interest of the citizens of the City, who are also citizens of the County, for the City to contract with the County to fulfill the duties of municipal police officer; and,

**WHEREAS**, the Sheriff is willing to serve in the capacity of municipal police officer and the parties understand that regardless of this agreement the Sheriff will continue to enforce State Law within the City pursuant to NMSA 1978, Section 4-42-2 (1864); and,

**WHEREAS**, pursuant to the New Mexico Procurement Code, Section 13-1-98A and Section 13-1-135 NMSA 1978, public agencies consisting of the City of Rio Communities, the Valencia County Sheriff's Office, and the Valencia County Commission (fiscal agent) desire to enter into an Agreement whereby the Valencia County Sheriff's Office will provide law enforcement protection and services to the City by and through the Valencia County Sheriff's office.

**IT IS THEREFORE AGREED** as follows:

1. Purpose of Agreement. The purpose of this Agreement is for the Valencia County Sheriff's Office to provide law enforcement protection and services to the City.
2. Duties of the County. The Valencia County Sheriff's Office shall provide the following law enforcement services to the City:
  - a. The sheriff's office will respond to calls for service outside the working hours of the police department personnel based on the schedule provided by the city.
  - b. The Sheriff is not obligated by virtue of this Agreement to administer directed patrols, specific traffic enforcement, enforce municipal ordinances or provide a 24 hour presence in the City.
  - c. Calls for service that require special units to handle such as the detective division or SWAT, the city will pay the county a sum of time and ½ pay per hour per deputy as well as reasonable administrative fee to cover fuel and equipment.
  - d. The Sheriff may, at the request of the Mayor of Rio Communities by email, assign additional Deputy (s) to attend special events. Rio Communities will pay the County the sum of time and ½ pay per hour per deputy as well as a reasonable administrative fee cover equipment/fuel.
  - e. The Sheriff's office will provide the city chief of police with body camera service until January 2024 or when the police department obtains its own body camera service, whichever occurs first.
  - f. The Sheriff's office will authorize the city police department access and permission to utilize our radio communications system to communicate with VRECC and other law enforcement. The communications frequency/talk groups will be determined as the police department grows and communication needs for both the sheriff's office, police department, and dispatch are evaluated.
3. Duties of the City.
  - a. In accordance with the Law Enforcement Protection Fund ("LEPF") Act-as described within New Mexico Statutes Annotated Section 29-13-1 through 29-13-9-Certain payments by the City to the County may be made with LEPF funds.
  - b. The City shall pay to the County \$47,496.00 for the period of July 1, 2023 through December 31, 2023 for services set forth above excluding those items to be specifically billed which, all or a part of, may come from the State Law Enforcement Protection Fund (LEPF)." In addition, the City shall pay to the County on a monthly basis based on billed costs from the Sheriff's Office for services rendered.

- c. The city will provide the sheriff's office with the work schedule for police department personnel.
  - d. The city will provide a cell phone with data service that meets the requirements of our body camera system to allow the use of our body camera system.
  - e. The city will provide equipment that will allow the police department to utilize the sheriff's office radio communication equipment.
  - a. The city will respond to calls for service during the working hours of the police department personnel and sheriff's office will assist them with call for service as needed.
  - b. The city will have until the beginning of 2024 to establish a body camera program and policy for the police department that will be in compliance with NMSA 29-1-18
4. City Prisoners. Any persons imprisoned for violation of City Ordinances are to be considered City prisoners.
5. Administration. Administration of this Agreement shall be the sole responsibility of the Valencia County Sheriff.
6. Liability.
- a. No Party shall be responsible for liability, beyond the obligation to provide insurance coverage, incurred as a result of any other Party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act.
  - b. This Agreement shall not create or confer on any other person or entity any right or benefit, substantive or procedural, enforceable at law or otherwise, against any party or their officers, directors, officials, employees, agents, representatives, contractors, subcontractors, consultants or advisors.
  - c. All employees or contractors engaged in any of the work or services performed pursuant to this Agreement shall at all times and in all places be subject to the County's supervision and control and said County shall be solely responsible for the conduct and performance of these individuals.
7. Third Party Beneficiary. This Agreement shall not create or confer on any other person or entity any right or benefit, substantive or procedural, enforceable at law or otherwise, against any party or their officers, directors, officials, employees, agents, representatives, contractors, subcontractors, consultants or advisors.
8. Property. No property shall be acquired as a result of this Agreement, which does not involve the disposition, division, or distribution of any property. The disposition of records generated



by performance of this Agreement shall be decided by the parties upon termination.

9. Term of Agreement. The term of this Agreement shall commence July 01, 2023 and terminate on June 30, 2024.
10. Termination of Agreement. Notwithstanding section 9 above, this Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least 6 months prior to the intended date of termination.
11. Conflict with Continuation of Services Agreement. This agreement supersedes all previous agreements relating to the Valencia County Sheriff's Office.
12. Approval. The parties agree that this Intergovernmental Services Agreement is subject to approval of the Governing Bodies of both the City and the County and the Valencia County Sheriff.
13. Receipts. There shall be strict accountability by the parties of all funds disbursed, received, and expended under the terms of this Agreement.

**COUNTY OF VALENCIA**

PASSED, APPROVED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2024, in regular session of the Valencia County Commission, Valencia County, New Mexico.

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Gerard Sais, Chair  
District I

\_\_\_\_\_  
Jhonathan Aragon, Vice -Chair  
District V

\_\_\_\_\_  
Troy Richardson Commissioner  
District II

\_\_\_\_\_  
David Hyder, Commissioner  
District III

\_\_\_\_\_  
Joseph Bizzel Commissioner  
District IV

**VALENCIA COUNTY SHERIFF**

\_\_\_\_\_  
Denise Vigil, Sheriff

\_\_\_\_\_  
Date

ATTEST BY:

\_\_\_\_\_  
Mike Milam, County Clerk

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

**THE CITY OF RIO COMMUNITIES**

**PASSED, APPROVED, AND ADOPTED** this 29<sup>th</sup> day of December 2023, in a Special Business Meeting session of the City of Rio Communities, Valencia County, New Mexico.

City of Rio Communities Governing Body

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

\_\_\_\_\_  
Margeret “Peggy” Gutjahr  
Mayor Pro tem

\_\_\_\_\_  
Aruthur “Art” Apodaca  
Councilor

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

\_\_\_\_\_  
Jim Winters  
Councilor

Attest:

\_\_\_\_\_  
Martin D. Moore  
Acting Municipal Clerk