



City of Rio Communities Council Workshop
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Tuesday, October 15, 2024 3:00 PM
Agenda

Please silence all electronic devices.

Call to Order

Pledge of Allegiance

Attendees

Discussion

1. Discussion – Veterans Day Schedule Planning

Public Comment: The Council will take public comments in written format. These should be emailed to admin@riocommunities.net through 2:00 PM on Tuesday, October 15, 2024. These comments will be distributed to all Councilors for review. ***If you wish to speak during the public comment session***, the Council will allow each member of the public to three (3) minutes to address the Council. Both the public and Council will follow rules of decorum. Give your name and where you live. The public will direct comments to the City Council. Comment(s) will not be disruptive or derogatory.

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

Adjourn



City of Rio Communities Council Regular Business Meeting (Rescheduled due to Holiday)

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Tuesday, October 15, 2024 6:00 PM

Agenda

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem – Lawrance R. Gordon

Council - Arthur Apodaca, Thomas Nelson, Matthew Marquez

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda

Consent Agenda

1. **Approval of Minutes June 18, July 8, July 22, August 12**
2. **Approval of Accounts Payable**

Public Comment: The Council will take public comments in written format. These should be emailed to admin@riocommunities.net through 4:45 PM on Tuesday, October 15, 2024. These comments will be distributed to all Councilors for review. If you wish to speak during the public comment session, the Council will allow each member of the public to three (3) minutes to address the Council. Both the public and Council will follow rules of decorum. Give your name and where you live. The public will direct comments to the City Council. Comment(s) will not be disruptive or derogatory.

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

Public Hearing - For the purpose of Billy Baca application for Special Use Permit for a RV Site

Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing for the Consideration of Billy Baca application for Special Use Permit for a RV Site Legal description UPC 100902842306000000 Subd: LAND OF FRANK SEMINARA Tract: A1 0.69 ACRE 1987 SPLIT/2009 REV (RAINBOW CAR WASH) 4 MANZANO EXPY Rio Communities NM, 87002, UPC 100902843506000000 Legal Description Subd: LAND OF FRANK SEMINARA Tract: A2 .87 AC MAP 102 2009 REV/1987 SPLIT D-5-16B

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

Manager Report

- a) **Amendments to the Penalty Assessment Ordinance**
- b) **Amendments to the Uniform Traffic Ordinance**

Action Items

3. **Discussion, Consideration, and Decision – Billy Baca application for Special Use Permit for a RV Site**
4. **Discussion, Consideration, and Decision – Police Department/Fire Department Change to a 14 Day Work Period**
5. **Discussion, Consideration, and Decision – Clean & Beautiful Grant Program Agreement**

Council Discussion

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 Workshop

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Tuesday, June 18, 2024 3:00 PM

Minutes

Please silence all electronic devices.

Call to Order

Mayor Ramsell called the meeting to order at 3:03pm.

Attendees

Governing Body

Mayor Joshua Ramsell

Councilor Lawrance Gordon

Councilor Nelson

Councilor Apodaca

Councilor Marquez

Staff

Manager Dr. Martin Moore

Deputy Clerk Lalena Aragon

Fire Chief Andrew Tabet

Public Comment:

No public comment

Presentations

Up Ahead Software

City Manager Dr. Moore explained the difference between Up Ahead Software and the RC assist. He explained that RC assist is an app that residents and the City can communicate. Communication is manually delt with it is not automatic. He explained that with Up Ahead software, is something residents sign up for. The City can then distribute text messages in mass in case of an emergency to those signed up. He continued to explain that RC assist has not been used to its full potential. It is Council's choice or proceed with Up Ahead Software. He stated that he isn't sure if RC Assist can send a mass text.

Fire Chief Tabet stated that he did some research, and he found that it will be helpful to get evacuation notices out to the public with Up Head Software.

Mayor Ramsell stated that he's understating is that Up Ahead Software is just to get notifications out to the community. One of the concerns is the cost.

There was discussion.

Executive Recruiting Firm for Municipal Clerk & Finance Officer

City Manager Dr. Moore explained the cost of posting these positions on the Newspaper. He stated that he provided the Council with the cost and the dates that the positions were posted in the Albuquerque Journal Valencia County News Bulletin and the Albuquerque web and explained the areas that reaches. He explained how hiring an Executive Recruiting Firm could help to reach out all over the State to find experienced personnel. He stated that executive positions are hard to fill in Municipalities Statewide.

There was discussion.

Discussion/Agenda Items

There was discussion about the Fire Danger around the State and the safety precautions the City is taking.

Adjourn

Mayor adjourned at 4:16 pm.

Respectfully submitted,

Dr. Martin Moore, (Acting) Municipal Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Lawrance R. Gordon,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Thomas Nelson,
Councilor

Matthew Marquez,
Councilor



City of Rio Communities Council Regular Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, July 08, 2024 6:00 PM

Minutes

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem - Lawrence R. Gordon

Council - Arthur Apodaca, Thomas Nelson, Matthew Marquez

Call to Order

Mayor Ramsell called the meeting to order at 6:00pm

Pledge of Allegiance

Councilor Marquez led the Pledge of Allegiance

Roll Call

Governing Body

Mayor Joshua Ramsell
Councilor Lawrence Gordon
Councilor Nelson
Councilor Apodaca
Councilor Marquez

Staff

Manager Dr. Martin Moore
Deputy Clerk Lalena Aragon
Police Chief Felix Nunez
Fire Chief Andrew Tabet
City Attorney Cori Striffer

Approval of Agenda

Motion made by Councilor Nelson to approve the agenda as written. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Approval Of Consent Agenda

Accounts Payable

Motion made by Councilor Nelson to approve the consent agenda. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Public Comment:

Dick Irvin: Thanked the Fire Chief for doughnuts with Veterans. He then talked about the City having something on Veterans Day. He talked about his concern about the parking on the side of the street on Western Drive. He stated that it isn't a very wide road and when the residents try to leave it's hard to see.

Manager Report

City Manager Dr. Moore explained that the City is working on the street light issues and stated that it will be about \$41,000 to repair them. He talked about the light on the bridge and explained that there are some short underground that are being repaired. He explained that the City is working with the insurance to help pay some of the expense. He then talked about funding from Infrastructure Capital Improvement Plan for streetlights. He also talked about the Horner project moving forward with the planning stage.

Councilor Apodaca asked if the City had the same insurance as last time. City Manager Dr. Moore explained that they were not insured last time.

Councilor Nelson asked about the lights on the bridge and stated since the bridge doesn't belong to the City will Department of Transportation reimburse the City. City Manager Dr. Moore stated that they will not.

Councilor Gordon stated he is glad to hear Horner is moving forward with the planning stage.

Councilor Marquez asked about the ICIP on the wastewater drainage and stated that the numbers have fluctuated. City Manager Dr. Moore explained that in some parts of town the water systems are not part of NM Water. He stated that the City has a nonexclusive franchise agreement with NM water and if they are unable to do provide the area with sewer and water, we will have to get those areas covered and explained the process. The City will need to go to the State Legislator to sustain parts of the City in the future.

Councilor Marquez asked if all Council will be attending that meeting for the ICIP. City Manager Dr. Moore stated that Council will be having a meeting next Monday at 3pm.

Discussion, Consideration, and Decision – Administrative Services Consultant Contract

City Manager Dr. Moore explained that Gayle Jones has been a supportive part of the administration part of the City. He explained that she is retired as the Clerk administrator in Bosque Farms. She is assisting with getting things in order. He explained that Gayle Jones is Mayor Pro tem in Mountainair, He has heard there is concerns about an issue with the Hatch Act. He explained that an Elected official can enter contract with another Municipality. It is legal as long as they are not a part of a decision-making role. This is a supportive role.

Gayle Jones stated that she has enjoyed working with the City and she does have a contract with Bosque Farms. They are the only two contracts she has right now. She explained that she will be helping with the NMML Clerks institute in the fall.

Councilor Marquez asked what kind of experience she has in finance.

Gayle Jones explained that she has done budgets and quarterly reports and that she was the CPO for the Village of Bosque Farms for 17 years. She stated she was also the Clerk Tresure in Willard and also in Mountainair as well.

Motion made by Councilor Nelson to approve Administrative Services Consultant Contract. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision – Approval of Capitol Appropriation Grant Agreement 24-I 3220 Public Safety Vehicles & Equipment

City Manager Dr. Moore explained that this goes with the Resolution you approved at the last meeting on the grant. He explained that it would be appropriate to have the procurement officer to be the signer instead of the City Manager’s Department. This is \$500,000 to be split between the Police Department and the Fire Department. He stated that the only change would be the sign off of the Procurement Officer.

Motion made by Councilor Nelson to approve Capitol Appropriation Grant Agreement 24-I 3220 Public Safety Vehicles & Equipment with the one change stated by Dr. Moore. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision– Approval of Capitol Appropriation Grant Agreement 24-I 3201 Public Works Equipment and Heavy Equipment

Dr. Moore explained that this is for the Public Works Department. They have a lot of need for equipment and that the Legislature has worked very hard to get them funding to get good quality equipment that will last. He stated that the Public Works Supervisor, Andy Quintana has already been looking at prices on street sweepers and other equipment. He then stated that it will have the same change for the Procurement officer signer as the other one.

Motion made by Councilor Gordon to approve the Capitol Appropriation Grant Agreement 24-I 3201 Public Works Equipment and Heavy Equipment with the one change stated by Dr. Moore. Seconded By Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision – Approval of Capitol Appropriation Grant Agreement 24-I 3219 Demolition & Removal of Dangerous Buildings and Nuisances

City Manager Dr. Moore explained that this was a request to the Governor’s Office. He explained there is a difference between a nuisance and dangerous property. He stated this grant will help us start. This one with the same change of the Procurement officer as singer. Councilor Nelson asked if the City has any properties in mind. City Manager Dr. Moore explained that there are a few properties. One is County Towing and there is a property on Olson and a few others. Councilor Marquez asked if the City could use this to clean up on Sundial Loop. City Manager Dr. Moore explained he will look into it.

Motion made by Councilor Gordon to approve the Capitol Appropriation Grant Agreement 24-I 3219 Demolition & Removal of Dangerous Buildings and Nuisances with the one change stated by Dr. Moore. Seconded by Councilor Marquez.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision – Resolution # 2024-06 New Mexico Department of Transportation Local Government Road Fund Agreement (LGRF)

City Manager Dr. Moore explained that at the last meeting, Council approved to continue with this project. He explained that NM DOT agreed with the improvements on Horner Street. This is a resolution to approve the portion that needs to be submitted. There is a 25% match from the City.

Motion made by Councilor Nelson to approve Resolution # 2024-06 New Mexico Department of Transportation Local Government Road Fund Agreement (LGRF). Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Council Discussion

Councilor Apodaca talked about having a Veterans Memorial here in the City. He has been talking to the owner of the property and he isn't willing to sell but he will allow the City to use it with a maintenance agreement.

Councilor Nelson asked about the eviction of the homeless on the river, he asked what action the City is planning on taking to keep them from pan handling and moving on to private property.

City Manager Dr. Moore explained there are a couple of issues He and Chief Nunez sat with the Governor, and they had some ordinances that could help with this issue. He stated that the homeless

issue is connected to criminal activity and also other issues as well. He stated moving them off the Rio Grande will move them to City limits.

Police Chief Nunez stated that he is a little distraught about how other Governing Bodies made a decision with out consulting the surrounding areas on dealing with the homeless encampments on the Bosque. He explained they met with the Governor to find a quick solution but there is not quick solution. He talked about the special session the Governor has called. He stated that he will be working with the surrounding areas to see how we can help these individuals. Shuffling them around from community to community is not getting them the help they need. He talked about the encampments and how they are run. He continued to talk about coming up with proactive ideas and what is best for out community.

Councilor Nelson asked for an update on the RC assist app. City Manager Dr. Moore explained he is working with Tyler Technologies, and they are going to meet with us.

Councilor Nelson asked if he could have a table at National Night Out and give something to the kids. He then talked about the City magnets and asked if he could take on that project.

Councilor Gordon thanked Mr. Irvin for challenging the City for the Veterans and thanked the Fire Chief for answering the call.

Councilor Marquez thanked Mr. Irvin for bringing some coffee. He then asked about another event coming up. Fire Chief Tabet stated that there will be a taco night on Saturday by the Auxiliary Department. Councilor Marquez asked if there is something the City could do about the parking on Western Drive. City Manager Dr. Moore explained that there are things that can be done. Councilor Marquez asked if there was something the City can do to limit the cannabis shops that come into the City. City Attorney Stiffer explained they cannot limit the number, but we can limit the distance between them. She stated that not all cannabis business is the same. She stated that the City can address them before they become a problem. Councilor Marquez stated that the City doesn't have anything in our ordinance to regulate adult entertainment. City Manager Dr. Moore explained that they all have to get a special use permit, and they would have to go through Council. The City can only regulate time, manner and place. Mayor Ramsell agreed with the need for an ordinance in place. Councilor Marquez talked about the RC assist and asked if we could put it on the City billboard. He then asked about buying some land to build a City park and finding a good area to build a park.

Mayor Ramsell thanked the Fire Chief and Police Chief for all their hard work during Fourth of July.

Adjourn

Motion made by Councilor Nelson to adjourn. Seconded by Councilor Gordon. Motion passed at 7:16 pm.

Respectfully submitted,

Dr. Martin Moore, (Acting) Municipal Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Lawrance R. Gordon,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Thomas Nelson,
Councilor

Matthew Marquez,
Councilor



City of Rio Communities Council Regular Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, July 22, 2024, 6:00 PM

Minutes

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem - Lawrence R. Gordon

Council - Arthur Apodaca, Thomas Nelson, Matthew Marquez

Call to Order

Mayor Ramsell called the meeting to order at 6:02pm

Pledge of Allegiance

Roll Call

Governing Body

Mayor Joshua Ramsell
Councilor Lawrence Gordon
Councilor Thomas Nelson
Councilor Art Apodaca
Councilor Matthew Marquez

Staff

Manager Dr. Martin Moore
Deputy Clerk Lalena Aragon
Police Chief Felix Nunez
City Attorney Randy Van Vleck

Approval of Agenda

Councilor Apodaca made a motion to approve the agenda as presented. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Approval of Consent Agenda

Approval of Minutes – Special Workshop May 20, 2024 & Special Business Meeting May 20, 2024

Approval of Accounts Payable

Motion made by Councilor Nelson to approve the consent agenda. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Public Comment:

Dick Irvin talked about the Veterans Memorial park. He said he emailed all council a video. He talked about a place in Michigan where the video was filmed. He suggested having a fund raiser to build a Veterans Memorial. He also asked about having an event on September 11th. He suggested inviting the Belen ROTC parade unit and all the local veteran's groups.

Public Hearing - For the purpose of Bubba's Buds LLC. Application for a Special Use Permit for Cannabis Manufacturing Legal description UPC 1009027447400000000 2295 Highway 304 Rio Communities, NM 87002

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

Motion made by Councilor Gordon to recess the regular business meeting and go into a public hearing for the matters stated on the agenda. Seconded by Councilor Nelson.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote 6:18pm

City Manager Dr. Moore swore in applicants from Bubbas Buds, Perla Clifton and Chris Clifton.

Perla Clifton explained that they have purchased a building in Rio Communities and are looking to manufacture Cannabis.

Chris Clifton explained that they are going to downgrade to a class 3 license.

Councilor Gordon asked what a class 3 license entailed. Chris Clifton explained they will be filling vape pens and have pre rolled joints.

Councilor Gordon asked if they spoke with the Fire Department. Chris Clifton stated they have talked to the Fire Department.

Councilor Marquez stated since they will be selling wholesale, they will not be bringing in GRT's. and He asked why they were moving from Belen. Clifton answered that they have purchased a building in Rio Communities. and They were leasing a building in Belen, and they are trying to get rid of the crop and be done with the business.

Mayor Ramsell asked, just to clarify, there will be no retail. Chris Clifton stated that was correct.

Councilor Nelson asked how the product will be transported. Chris stated that it depends. He stated he will be the one transporting it.

Councilor Marquez asked about the business hours and security cameras. Chris Clifton explained it will be Monday- Friday and they have cameras.

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

Motion made by Councilor Apodaca to back into regular business meeting session. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote 6:25 pm

Discussion, Consideration, and Decision – Bubbas Buds LLC. application for a Special Use Permit for Cannabis Manufacturing

Motion Councilor Nelson to approve the Special Use permit for Bubbas LLC with the findings and facts from the Planning & Zoning Commission. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Manager's Report

City Manager Dr. Moore explained that Public Works have been working on potholes due to the rain the City has had over the past few days. Dr. Moor explained that the budget is on track, and we will be having a special meeting on July 29th. He talked about adjustments to the budget. He then talked about the fourth quarter financial report and explained that a Resolution will be required. He then explained the steps that the City needs to take to submit the budget to the State.

Councilor Nelson talked about weeds on Del Frego. He then stated that the NM flag isn't attached to flagpole.

Councilor Marquez asked about the cost of the Newsletter. He stated he talked to Mrs. Good, and she stated she would like to have a monthly Newsletter. He then asked about the park grand opening.

Action Items

Discussion, Consideration, and Decision – Palmetto LLC Contract Renewal

City Manager Dr. Moore explained that Ralph Mimms assisted with the Dwell builders on the new development of homes and with Maverick. He then stated that the dollar amount is the same as last year and recommended renewing this contract.

Councilor Apodaca talked about how well known and respected Ralph Mimms is around the State.

Councilor Nelson read an email that he sent to Mr. Mimms in March requesting items to be reviewed. He explained that he continued to reach out to Mr. Mimms and his response was that he had to get with Dr. Moore before he could give any items to Council. Councilor Nelson stated that he is has not responded to any of his requests.

Ralph Mimms explained that he was told by City Manager Dr. Moore to report to him for any request from Council and that Dr. Moore has that information.

Councilor Gordon explained that he has been working with Mr. Mimms for two years and he has been all over the state. He worked for a year and a half to get Dwell builders in.

Councilor Marquez talked about the errors on the contract and stated that there are a few items that the Council has not received.

There was discussion.

Councilor Marquez requested that the contract be updated before Council votes on it.

Motion made by Councilor Marquez to postpone the Palmetto LLC. contract until the contract is corrected. Seconded by Councilor Nelson.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision - Renewal of Sunny 505 Contract

City Manager Dr. Moore explained that the contract amounts and terms are the same.

Councilor Nelson asked if the attorney has reviewed the contract.

City Attorney Mr. Van Vleck recommended to postponing this until the contract is corrected.

Councilor Nelson made a motion to make corrections to the contract and have Sunny 505 come back. Seconded by Councilor Gordon.

Councilor Nelson amended his motion to have the contract ready by the end of next month. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Discussion of a Veteran's Memorial

Councilor Apodaca talked about the Veteran's Memorial. He showed a sketch of what he and Loedi Silva have been working on. He stated it was on the corner of Highways 304 and 47. He explained that the City will need to reconstruct the wall and put some money into the property. He stated the City does not own this property.

Councilor Gordon talked about his concern with the anti-donation clause.

City Attorney Van Vleck stated that it is a delicate question.

Councilor Apodaca stated that this is the beginning of a conversation and that maybe the City Attorney and the manager of the property draft a contract.

There was further discussion.

Council Discussion

Councilor Nelson talked about the weeds with the rain and stated that the City needs to work on keeping them under control.

Councilor Gordon thanked Public Works and stated that there was criminal damage done at the Chemise Park. The Public Works Supervisor went on his own time and fixed the problem

Councilor Marquez asked if each department has a safety program. City Manager Dr. Moore stated that each department does not.

Councilor Marquez talked about reaching out and getting a safety program in place. City Manager Dr. Moore stated that public works does follow safety protocols.

Councilor Marquez stated that the Municipal League offers resources for safety programs. He then talked about creating a wellness program for the employees. City Manager Dr. Moore stated that the City does have some resources for employee's wellness.

Councilor Marquez asked if the Public Works Department has an office. City Manager Dr. Moore stated that the Public Works Supervisor is working on getting an office at the Public Works yard.

Councilor Marquez talked about having the Pledge of Allegiance at all meetings.

Executive Session - pursuant to NMSA 10-15-1(H)(2) Limited Personnel Matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)

Motion and roll call vote to go into close session

Motion made by Councilor Gordon to go into executive session for the matters listed on the agenda. Seconded by Councilor Apodaca.

Voting Yea:

- Councilor Gordon
- Councilor Apodaca
- Councilor Nelson
- Councilor Marquez

Motion passed with a 4-0 vote at 7:37pm.

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

Motion by Councilor Nelson to go back into the regular business meeting session. Seconded by Councilor Gordon.

Voting Yea:

- Councilor Gordon
- Councilor Apodaca
- Councilor Nelson
- Councilor Marquez

Motion passed with a 4-0 vote at 8:35 pm.

Welcome everyone back and statement by the Mayor:

Motion made by Councilor Nelson to approve the statement by the Mayor. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Adjourn

Motion to adjourn made by Councilor Nelson. Seconded by Councilor Gordon. Motion carried at 8:36 pm.

Respectfully submitted,

Dr. Martin Moore (Acting), Municipal Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Lawrence R. Gordon,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Thomas Nelson,
Councilor

Matthew Marquez,
Councilor



City of Rio Communities Council Regular Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, August 12, 2024 6:00 PM

Minutes

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem – Lawrance R. Gordon

Council - Arthur Apodaca, Thomas Nelson, Matthew Marquez

Call to Order

Mayor Ramsell called the meeting to order at 6:00 pm.

Pledge of Allegiance

Council Apodaca lead the pledge of allegiance

Roll Call

Governing Body

Mayor Joshua Ramsell
Councilor Lawrance Gordon
Councilor Thomas Nelson
Councilor Art Apodaca
Councilor Matthew Marquez

Staff

Manager Dr. Martin Moore
Deputy Clerk Lalena Aragon
Police Chief Felix Nunez
City Attorney Randy Van Vleck

Approval of Agenda

Councilor Gordon made a motion to approve the agenda as presented. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Approval of Consent Agenda

Minutes for Approval of Minutes for Regular Business Meeting May 30, 2024

Approval of Accounts Payable

Councilor Gordon made a motion to approve the consent agenda. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Public Comment:

Ron Gentry talked about Our police department and the hours or operation. He explained that he owns a piece of property, and he got a call from the person next to his property about 9:00pm and she stated she can hear people on his property, and they were stealing paneling he called dispatch, and they stated Rio Communities Police didn't work at night and they sent a Sherriff deputy. He then stated he went to his property and Belen police department showed up and he was told the Sheriff's department was busy on another call. Mr. Gentry stated the City of Rio Communities have an agreement with the Sheriff to cover the City after hours, and the Sheriff has an agreement with Belen to cover them. Mr. Gentry asked if the City would consider creating a shift that would be on duty when the crooks and druggies were out.

Leona Vigil, talked about her concerns about the job openings she stated that she applied for the Municipal Clerks position and received an interview with Councilor Gordon and the City Manager. She stated that she has 19 years of experience in Municipal government. She then stated she wanted to be sure that the City was not wasting money on hiring outside companies to search for qualified applicants when they already had one.

Mary Huneke gave a copy to the Clerk of what she read as her statement. *"As a new resident of Rio Communities, I am deeply appreciative to of the exponential work our local Police Department and their dedication and understanding are an outstanding service to our community despite the limited number of officers. They truly deserve recognition. Their commitment to the safety and well-being of the residents often goes unnoticed and I believe it's crucial to highlight their hard work. However, serious concern arises when we consider how the city allocates \$95,000 tax dollars to Valencia County Sheriff office which seems unable to provide the service that the residents rightfully expect and deserve. It is frustrating to see our hard-earned taxes funneled into a service that is significantly under par particularly witnessing experiences and the lack of responsiveness from the VSO officers. I have witnessed firsthand the challenges faced by the residents of this community when trying to reach out for help in times of emergency. Deputies have instructed residents to call non-emergency not 91 and this leaves citizens feeling confused, frustrated, and extremely undervalued especially when response time stretches from one hour to three hours and that's if they show up. More often than not after calling 911 the dispatcher calls back stating that Valencia County Sheriff's office will not be responding to the request for help because the deputy deems the residents call not an emergency but will let Rio Communities know when they come on duty but never communicate to Rio Communities police that there was a call for assistance. This is highly concerning and should be concerning to all residents of Rio Communities not just myself which only raises more questions about the effectiveness and reliability of the Sheriff's Office in addressing community safety concerns. Moreover, it is disheartening when a sheriff openly criticizes our local police force on social media which not only undermines their efforts but also indicates a lack of support for this community. To illustrate this disconnect I often liken the situation to paying for an upscale steak dinner only to be served 2-day old cold fast-food fries. It is a disservice that is hard to accept especially when we are funding a service that falls short of expectation it prompts me to ask whether the city should reconsider the allocation of funds to VCSCO and redirect them towards supporting our local Police Department which has consistently demonstrated its outstanding commitment to serving this community. I urge the council and the mayor to prioritize the safety of Rio Communities citizens by ensuring that taxpayer dollars are invested in services that meet*

Council Regular Business Meeting Minutes August 12, 2024

our needs and expectations. The exceptional work of our local police force deserves our full support and it's time to address the shortcomings of Valencia County Sheriff office to ensure that our community receives the protection it deserves because right now it feels like we're eating \$95,000 two-day old fries. Thank you."

Dick Irvin complimented the Police Chief, and everyone involved in National Night out. He stated that the Police Department only has a Chief and two patrol people and that it is hard to tackle the crime in the City.

Manager Report

City Manager Dr. Moore talked about the rain and weeds that have been popping up around the City. He stated that it is hard for homeowners and the City to keep up with and that the City understands and will be giving homeowners time to clean them up. He then stated that he received word that the budget and the fourth quarter report was turned in for final approval.

Councilor Nelson asked if Public Works could get the street sweeper and clean up the street on Horner and Goodman.

Councilor Marquez asked how come Council Members were not aware of Leonas application and stated that he requested to sit in on interviews. He then requested that Leona Vigil has another interview.

Councilor Gordon stated that if a person isn't hired that does not mean they did not have a proper interview or that they are not qualified.

Councilor Marquez state that he wanted to be included in the interviews and asked why he wasn't informed of the interviews the City has been having.

City Manager Dr. Moore explained that in the practice of Mayor, Council, Manager form of government that managers do not involve City Council members, except in certain circumstances such as an executive municipal official.

There was discussion.

Discussion, Consideration, and Decision – Resolution 2024-10 Declaring 94 Olson (Legal Description UPC: 1010028425140000320) A Dangerous / Nuisance Property

City Manager Dr. Moore explained that Councilor Gordon has brought this property up a few years ago. He then explained that the City can use the money form the Capital Appropriation grant to clean up this property.

There was discussion.

Motion made by Councilor Nelson to approve resolution 2024-10 declaring 94 Olson (Legal Description UPC: 1010028425140000320) A Dangerous / Nuisance Property. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon

Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision – Participating Entity Agreement Cooperative Educational Services

City Manager Dr. Moore explained that this is a housekeeping matter and is requesting approval to work with Cooperative Educational Services to assist the City with a 2.2-million-dollar project he explained the City has never delt with a grant this big before.

Motion made by Councilor Gordon to approve Participating Entity Agreement Cooperative Educational Services. Seconded by Councilor Marquez.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Discussion – City of Rio Communities Code of Conduct

Dr. Moore explained that the City has been working on having all employees signing the code of conduct and I requesting to have City Council sign it as well.

There was discussion.

Council Discussion

Councilor Apodaca nothing at this time.

Councilor Nelson thanked Officer Rodriquez for all he did for National Night out. He then thanked Dr. Moore for going out to see the flooding and asked to have a grand opening for Chamisa park, he also asked for a copy of the vehicle take home policy.

Councilor Gordon thanked everyone for all they did for National Night out. He also thanked the Optimus club for all their help with Movie Night as well.

Council Marquez thanked the National Guard for showing up to National Night out. He asked about updates for Willy Chavez State park.

City Manager Dr. Moore explained that they are working on an agreement, and they will be bringing it in front of Council as soon as the City gets any updates.

Councilor Marquez stated that this weekend the Belen Police department had an officer involved shooting that resulted in River Road being closed and asked if Dr. Moore knew anything about that.

City Manager Dr. Moore stated that he was informed, and he was dealing with some personal matters that he was dealing with. Dr. Moore explained that the Fire Department was assisting Belen.

Councilor Marquez stated that if Dr. Moore isn't available that someone needs to be to inform the residents of an alternate route. He talked about creating a safety plan to get some training for employees. He then asked if all vehicles could be detailed with the City decals and asked about the Uniform Traffic codes and asked if it has been completed.

City Attorney Van Vleck explained that the Penalty assessments schedule has been provided to the Police Chief and the Judge and is ready to go. He then explained that the Uniform Traffic Ordinance will take some time, and he is in the process of updating that.

Mayor Ramsell talked about the incident that happened on Saturday night with Belen Police on River road and stated that it was pretty chaotic and that there wasn't a statement of any type put out until the next day, so the City was very limited to that information. He then thanked the Police Department for the amazing job they did for National Night out and thanked all the sponsors and everyone that was involved.

Adjourn

Councilor Nelson made a motion to adjourn. Seconded by Councilor Gordon motion carried at 7:06 pm.

Respectfully submitted,

Dr. Martin Moore, (Acting) Municipal Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Lawrance R. Gordon,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Thomas Nelson,
Councilor

Matthew Marquez,
Councilor



Rio Communities, NM

Accounts Payable Approval Report

By Fund

Payable Dates 10/9/2024 - 10/17/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 11000 - General Operating Fund					
Woodlands Hardware	014379/1	10/09/2024	Various Supplies	11000-5101-56030	92.61
Woodlands Hardware	014424/1	10/09/2024	Various Supplies	11000-5101-56030	9.53
Woodlands Hardware	014425/1	10/09/2024	Various Supplies	11000-5101-56030	34.88
Woodlands Hardware	014476/1	10/09/2024	Various Supplies	11000-5101-56030	148.94
Maloy Mobile Storage Inc.	0328902-IN	10/09/2024	40' Storage Container Serial#8	11000-5101-55999	243.68
Maloy Mobile Storage Inc.	0328993-IN	10/09/2024	40' Storage Container Serial#8	11000-5101-55999	243.68
J-H Supply Company	113595	10/09/2024	Street sights	11000-5104-54030	1,589.68
Amazon Business	114-1838121-3983444	10/09/2024	Binders, Computer Chargers,	11000-3001-56020	149.99
Sharp Electronics Corporation	14587835	10/09/2024	Sonic Wall Service/TP Link	11000-2002-54050	258.08
Able & Willies One Stop Shop,	1677	10/09/2024	Signs for Court	11000-1009-56090	918.00
Occupational Health Centers	17725495	10/09/2024	Drug Test for New Employees	11000-2002-55999	99.02
Occupational Health Centers	17777526	10/09/2024	Drug Test for New Employees	11000-2002-55999	99.02
Amazon Business	1CWC-LWGC-JXDD	10/09/2024	Supplies	11000-4004-56020	343.41
Amazon Business	1fdm-n46v-mx1x	10/09/2024	Supplies	11000-2008-56999	140.58
NM Local Government Law	2240	10/09/2024	Legal Services -FY 2023-2024	11000-2002-55020	7,414.82
TLC Uniforms	281336	10/09/2024	UNIFORMS	11000-3001-56110	1,045.00
TLC Uniforms	281462	10/09/2024	UNIFORMS	11000-3001-56110	367.18
Wells Fargo Financial Leasing	5031353343	10/09/2024	CH Server Lease - Contract #8	11000-2002-57130	138.09
Napa Auto Parts	532639	10/09/2024	Public Works auto supplies	11000-5101-54040	141.69
NM Municipal League	7883	10/09/2024	M.Moore Annual Membershi	11000-2001-57150	250.00
Sharp Electronics Corporation	9004972266	10/09/2024	CH Help Desk - Contract #800	11000-2002-55030	285.00
Sharp Electronics Corporation	9005016281	10/09/2024	City Hall & Fire Dept. VOIP	11000-2002-55030	679.05
Sharp Electronics Corporation	9005030064	10/09/2024	Contract# 800595693 - Aquos	11000-2002-55030	274.50
Sharp Electronics Corporation	9005030064	10/09/2024	Contract# 800595693 - Aquos	11000-4004-55030	137.25
Sharp Electronics Corporation	9005030065	10/09/2024	Cloud Storage - PD	11000-3001-56010	1,261.00
Sharp Electronics Corporation	9005030066	10/09/2024	CH Help Desk - Contract #800	11000-2002-55030	285.00
Sharp Electronics Corporation	9005050519	10/09/2024	City Hall Copies	11000-2002-57090	254.29
Beasley, Mitchell & Co. LLP	90136219	10/09/2024	Accounting Firm-Contracted t	11000-2002-55030	20,151.65
Aqua3, LLC.	9301983	10/09/2024	5 Gallon Water Bottles (4/Mo	11000-2002-56060	29.20
Aqua3, LLC.	9301983	10/09/2024	24 Pack Cases of Water (4/mo	11000-2002-56060	22.36
Aqua3, LLC.	9306126	10/09/2024	24 Pack Cases of Water (4/mo	11000-2002-56060	56.80
Tyler Business Forms	95741	10/09/2024	W-2's / 1099's / AP Checks	11000-2002-56999	109.93
Amazon Business	INV0005303	10/09/2024	Binders, Computer Chargers,	11000-3001-56020	354.06
PNM	INV0005316	10/09/2024	CH-Electricity - Utilities	11000-2002-57170	15.21
Tyler Business Forms	Invoice-95936	10/09/2024	W-2's / 1099's / AP Checks	11000-2002-56999	140.92
Tyler Business Forms	Invoice-96042	10/09/2024	W-2's / 1099's / AP Checks	11000-2002-56999	152.25
HEI, Inc	JC4203	10/09/2024	City Streetlight repair	11000-2002-55999	487.35
Verizon Wireless	9974330178	10/12/2024	City Manager	11000-2001-57160	40.01
Verizon Wireless	9974330178	10/12/2024	Finance	11000-2004-57160	50.05
Verizon Wireless	9974330178	10/12/2024	Public Works	11000-5101-57160	121.21
WEX Bank	100123976	10/15/2024	PD Fuel	11000-3001-56120	852.17
WEX Bank	100123976	10/15/2024	PW Fuel	11000-5101-56120	704.88
PNM	INV0005314	10/16/2024	Streetlights - Electricity - Utili	11000-5104-57170	64.23
PNM	INV0005315	10/16/2024	Streetlights - Electricity - Utili	11000-5104-57170	36.21
NM Gas Co	INV0005305	10/17/2024	GAS- Utilities	11000-2002-57171	43.60
PNM	INV0005306	10/17/2024	Streetlights - Electricity - Utili	11000-5104-57170	37.28
PNM	INV0005307	10/17/2024	CH-Electricity - Utilities	11000-2002-57170	324.48
PNM	INV0005308	10/17/2024	CH-Electricity - Utilities	11000-2002-57170	265.52
PNM	INV0005309	10/17/2024	CH-Electricity - Utilities	11000-2002-57170	174.39
PNM	INV0005311	10/17/2024	Streetlights - Electricity - Utili	11000-5104-57170	165.83
PNM	INV0005313	10/17/2024	CH-Electricity - Utilities	11000-2002-57170	951.59
Fund 11000 - General Operating Fund Total:					42,255.15

Report Summary

Fund Summary

Fund	Expense Amount
11000 - General Operating Fund	42,255.15
20200 - Environmental	364.98
20900 - Fire Protection	12,141.74
21100 - Law Enforcement Protection	98.00
29700 - County EMS GRT	517.67
30300 - State Legislative Appropriation Project	1,784.00
Grand Total:	57,161.54

Account Summary

Account Number	Account Name	Expense Amount
11000-1009-56090	Supplies - Safety	918.00
11000-2001-57150	Subscriptions & Dues	250.00
11000-2001-57160	Telecommunications	40.01
11000-2002-54050	Maintenance & Repair -	258.08
11000-2002-55020	Contract - Attorney Fees	7,414.82
11000-2002-55030	Contract - Professional S	21,675.20
11000-2002-55999	Contract - Other Service	685.39
11000-2002-56060	Supplies - Kitchen	108.36
11000-2002-56999	Supplies - Other	403.10
11000-2002-57090	Printing/Publishing/Adv	254.29
11000-2002-57130	Rent of Equipment/Mac	138.09
11000-2002-57170	Utilities - Electricity	1,731.19
11000-2002-57171	Utilities - Natural Gas	43.60
11000-2004-57160	Telecommunications	50.05
11000-2008-56999	Supplies - Other	140.58
11000-3001-56010	Software	1,261.00
11000-3001-56020	Supplies - General Office	504.05
11000-3001-56110	Supplies - Uniforms/Line	1,412.18
11000-3001-56120	Supplies - Vehicle Fuel	852.17
11000-4004-55030	Contract - Professional S	137.25
11000-4004-56020	Supplies - General Office	343.41
11000-5101-54040	Maintenance & Repairs -	141.69
11000-5101-55999	Contract - Other Service	487.36
11000-5101-56030	Supplies - Field Supplies	285.96
11000-5101-56120	Supplies - Vehicle Fuel	704.88
11000-5101-57160	Telecommunications	121.21
11000-5104-54030	Maintenance & Repairs -	1,589.68
11000-5104-57170	Utilities - Electricity	303.55
20200-5009-55999	Contract - Other Service	364.98
20900-3002-54040	Maintenance & Repairs -	238.47
20900-3002-55030	Contract - Professional S	1,438.25
20900-3002-56030	Supplies - Field Supplies	7,600.32
20900-3002-56070	Supplies - Medical	809.45
20900-3002-56120	Supplies - Vehicle Fuel	833.12
20900-3002-57160	Telecommunications	120.03
20900-3002-57170	Utilities - Electricity	1,062.46
20900-3002-57171	Utilities - Natural Gas	39.64
21100-3001-54040	Maintenance & Repairs -	98.00
29700-2002-56120	Supplies - Vehicle Fuel	436.29
29700-2002-57160	Telecommunications	81.38
30300-2002-56999	Supplies - Other	909.00
30300-2002-58080	Vehicles	875.00
Grand Total:	Grand Total:	57,161.54

Project Account Summary

Project Account Key
None

	Expense Amount
	<u>57,161.54</u>
Grand Total:	57,161.54

Authorization Signatures

MAYOR & COUNCILORS

JOSHUA RAMSELL, MAYOR

LAWRENCE GORDON, COUNCILOR

ARTHUR APODACA, COUNCILOR

MATTHEW MARQUEZ, COUNCILOR

THOMAS NELSON, COUNCILOR

ATTEST:



Rio Communities, NM

Check Register

Packet: APPKT01302 - AP 10.9.24

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP BANK CODE-AP BANK CODE						
VEN04169	Able & Willies One Stop Shop, LLC	10/09/2024	Regular	0.00	1,827.00	4648
VEN04222	Boundtree Medical	10/09/2024	Regular	0.00	809.45	4649
VEN04621	Design Silk Screen Printers, LLC.	10/09/2024	Regular	0.00	875.00	4650
VEN04350	J-H Supply Company	10/09/2024	Regular	0.00	1,589.68	4651
VEN04417	Napa Auto Parts	10/09/2024	Regular	0.00	380.16	4652
VEN04454	NM Municipal League	10/09/2024	Regular	0.00	250.00	4653
VEN04915	Occupational Health Centers of the !	10/09/2024	Regular	0.00	198.04	4654
VEN04503	Rio Communities Service Station	10/09/2024	Regular	0.00	98.00	4655
VEN04541	Stryker Medical	10/09/2024	Regular	0.00	666.78	4656
VEN04563	TLC Uniforms	10/09/2024	Regular	0.00	1,412.18	4657
VEN04612	Tyler Business Forms	10/09/2024	Regular	0.00	403.10	4658
VEN04573	Universal Waste Systems, Inc.	10/09/2024	Regular	0.00	364.98	4659
VEN04598	Wells Fargo Financial Leasing	10/09/2024	Regular	0.00	138.09	4660
VEN04603	Woodlands Hardware	10/09/2024	Regular	0.00	285.96	4661
VEN04185	Amazon Business	10/16/2024	EFT	0.00	988.04	101034
VEN04853	Aqua3, LLC.	10/16/2024	EFT	0.00	108.36	101035
VEN04904	Beasley, Mitchell & Co. LLP	10/16/2024	EFT	0.00	20,151.65	101036
VEN04680	HEI, Inc	10/16/2024	EFT	0.00	487.35	101037
VEN04702	Linde Gas & Equipment Inc.	10/16/2024	EFT	0.00	198.54	101038
VEN04709	Maloy Mobile Storage Inc.	10/16/2024	EFT	0.00	487.36	101039
VEN04896	Municipal Emergency Services Inc.	10/16/2024	EFT	0.00	6,735.00	101040
VEN04792	NM Local Government Law	10/16/2024	EFT	0.00	7,414.82	101041
VEN04527	Sharp Electronics Corporation	10/16/2024	EFT	0.00	4,872.42	101042
VEN04448	NM Gas Co	10/09/2024	Bank Draft	0.00	83.24	DFT0001344
VEN04481	PNM	10/09/2024	Bank Draft	0.00	3,097.20	DFT0001345
VEN04599	WEX Bank	10/15/2024	Bank Draft	0.00	2,826.46	DFT0001346
VEN04587	Verizon Wireless	10/12/2024	Bank Draft	0.00	412.68	DFT0001347

Bank Code AP BANK CODE Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	25	14	0.00	9,298.42
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	15	4	0.00	6,419.58
EFT's	21	9	0.00	41,443.54
	61	27	0.00	57,161.54

Fund Summary

Fund	Name	Period	Amount
99000	Pooled Cash Fund	10/2024	57,161.54
			<u>57,161.54</u>

Authorization Signatures

CHECK REGISTER

This check register has been reviewed and verified for accuracy.

First Signor

Date

Second Signor

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

Instructions	
This application form is required to initiate a review by the City Planning and Zoning Commission at a regular business meeting for recommendation to the City Council granting a Special Use Permit. This form must be completed and submitted with the required administrative fee to the Municipal Clerk.	
Applicant Information	
Applicant Name: <u>Billy Baca</u>	
Mailing Address: <u>18001 Friendly Ct NW APO NM 8120</u>	
Phone Number: <u>505-507-8038, 505-975-2156</u>	
General Information	
Type of Conditional Use (check as appropriate): If unknown, please don't check any box.	
<input checked="" type="checkbox"/> Permanent Special Use	
<input type="checkbox"/> Renewable Special Use	
Location of property that is subject of the request (physical address and legal description):	
<u>UPC: 10090284360100000000 UPC 100902823060000000</u>	
<u>4 Maazano Exp Way 87002</u>	
<u>RV Park</u>	
Current zoning of the property: <u>C2</u>	
Required Attachments	
1. A written statement describing existing and future land use of the property with reference to Guidelines in (Article 4-7-4 Rio Communities Zoning Ordinance.)	
2. A site plan showing location of structures on the property and on contiguous properties, easements and right-of-way, and other relevant information. Proposed future improvements of the property should be indicated if possible.	
Procedural Information	
Signature of Applicant: <u>Billy Baca</u>	Date: <u>9/17/2024</u>
Application Received By: <u>[Signature]</u>	Date: <u>9/17/2024</u>
Action Taken:	Effective Date:
Expiration Date for Renewable Special Use Permit:	
NOTE: Special conditions assigned to this application must be attached in written form with this application.	

June 14, 2024

Rio Communities Planning Commission
360 Rio Communities Blvd
Rio Communities, NM 87002

Members of the County Planning Commission:

Billy Baca, requests your review and approval for a Special Use Permit for an Overnight Campground located at 4 and 103 Manzano Express Way 87002. These lots are currently zoned C-2.

Our intent is to submit a new Special Use Permit to allow for overnight camping use to better accommodate the population of travelers through the county and state. The land will be used to specifically store and home recreational vehicles for periods of time. The SUP will allow for better use of the area, right now Rio Communities citizens have used it as a dump site and place for homeless to gather.

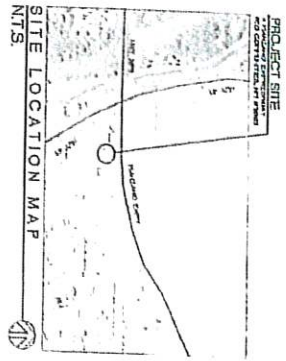
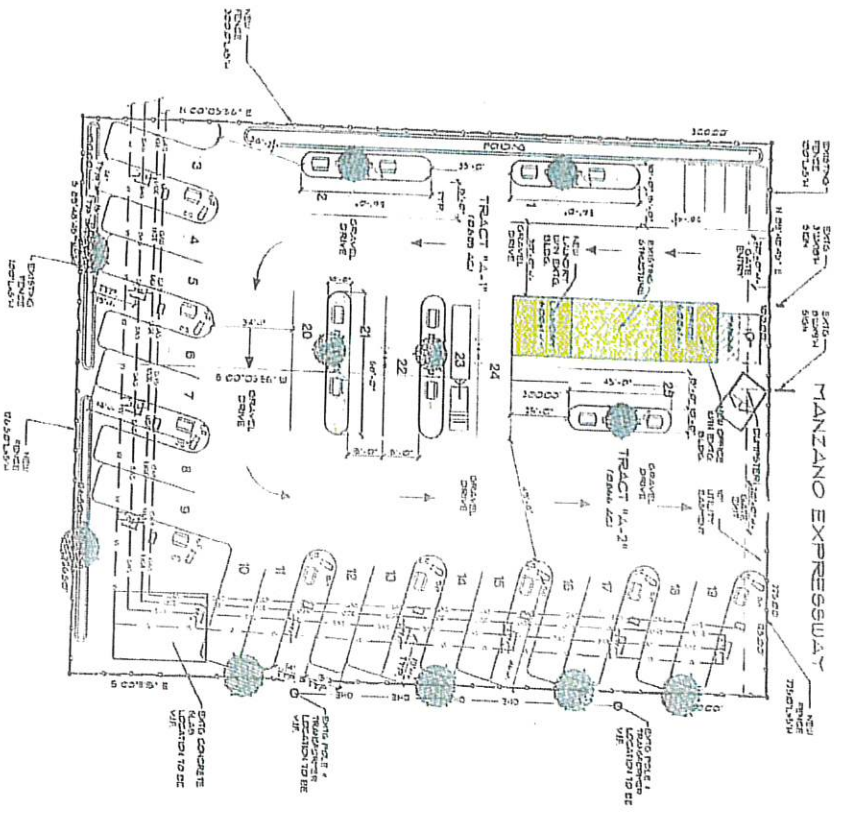
There will be one gated point of ingress and egress on the property. This entry and exit point will allow for circulation of traffic with enough room for the size of a truck and recreational vehicle. This property will feature dry camp sites, fully hook up camp sites, tiny home dwellers, and RV storage. Each spot will hold enough space for the recreation vehicle and accompanied vehicle. Additionally, there will be a dumpster to dispose of trash in order to keep the property clean.

The proposed Special Use Permit will allow the site to be developed in phases according to the approved Site Development Plan. The request will be a benefit to the community and will follow the goals, objectives, and visions that the Rio Communities County looks to follow. The approval of this request will allow the development of the properties on Manzano Express Way and will contribute to the economic success of the Rio Communities County. Thank you for your consideration regarding this matter.

Sincerely,



Billy Baca
Permit Applicant



**RIO COMMUNITIES RV PARK
RIO COMMUNITES, NM
PRELIMINARY SITE PLAN
07/23/24**

UPC # 10090284423060000000
10090284435060000000

- TYPICAL RV SPACE IMPROVEMENTS**
- WATER
 - 220
 - PICNIC TABLE
 - BBO

**JOHN KIRKPATRICK
ARCHITECT
P.O. BOX 1743
LOS LUNAS, NEW MEXICO**



ALL OF LOTS 22

SECTION

in County, New Mexico, being as represented
by the Middle Rio Grand Conservancy
and within Section 11, Township 2 North,
of Section and more particularly described

as being lot 22 in A. 17th, said section
is of the Rio Grand Conservancy and said point
is of the bounded area that is a subdivision
County Grant, within in County, New Mexico

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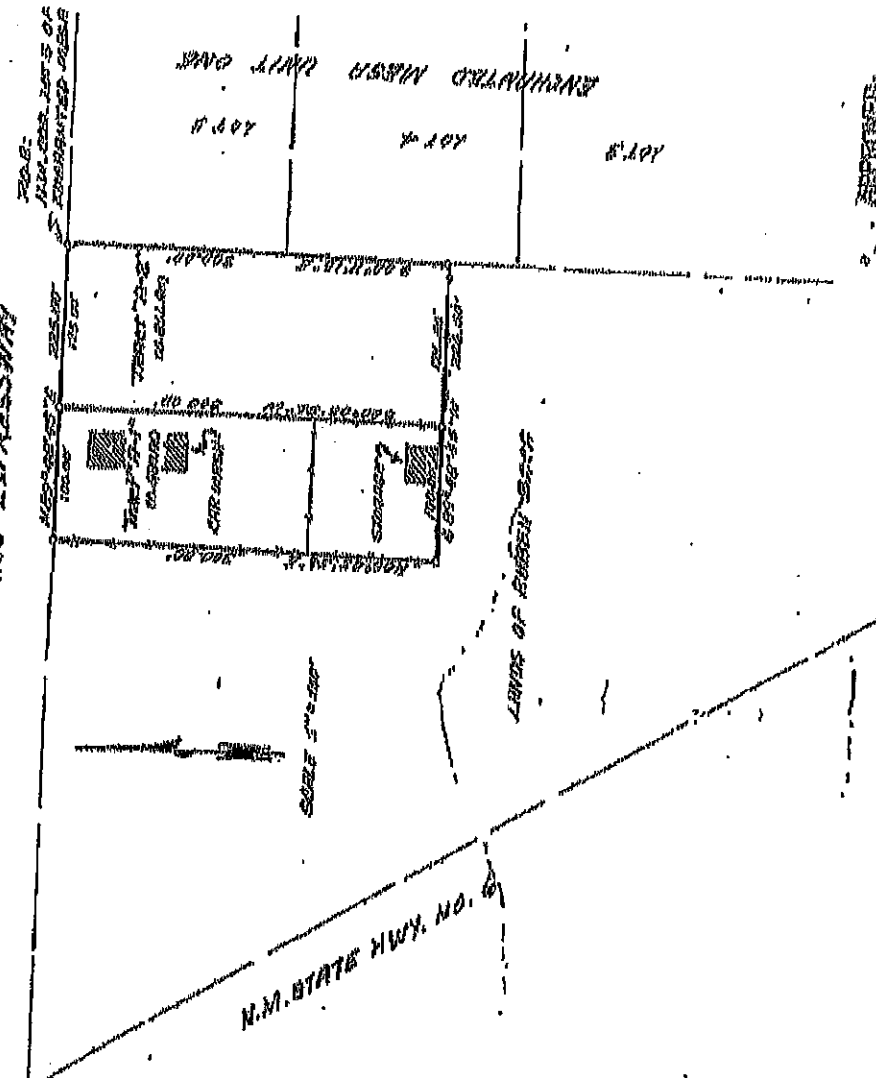
50 feet on the southeast corner of this

MANIZGAO EXPRESSWAY

N.M. STATE HWY. NO. 51

SCALE 1"=100'

LANDS OF PUBLIC DOMAIN



ADVERSE CLAIMS
ADVERSE CLAIMS
ADVERSE CLAIMS

RECORDED
PLAT NO. 1212
NOV 12 1965
C. J. Smith

STATE OF NEW MEXICO
COUNTY OF VALLECLA

This instrument was filed for record on

All corners were set with 1/2 inch
rubber and red plastic cap with

Lalena Aragon

From: Georgieana Cotinola <ganacotinola@msn.com>
Sent: Thursday, August 22, 2024 6:37 PM
To: Lalena Aragon

External (ganacotinola@msn.com)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security, Powered by INKY](#)



Sent from my iPhone



NEW MEXICO WATER SERVICE CORPORATION
401 BORNHILL STREET
RIO COMMUNITIES, NM 87402 • (505) 864-2218 • FAX (505) 864-0480

Date 8/22/2024

4 Manzano Expressway

The above service address is served by one of the following approved water systems:

Check One:

- Rio Communities Water System (NM 35 248 32)
- Rio Communities Industrial Park (NM 35 950 32)
- Rio del Oro Water System (NM 35 802 32)
- Meadow Lake Water System (NM 35 320 32)
- Elephant Butte Water System (NM 35 308 27)
- Cypress Gardens Water System (NM 35 001 32)
- Sandia Knolls Water System (NM 35 110 01)
- Indian Hills Water System (NM 35 469 30)
- Squaw Valley Water System (NM 35 756 30)

To Whom It May Concern:

New Mexico Water Service Corporation, a subsidiary of California Water Service Group, in accordance with the New Mexico Public Regulation Commission Rules and Regulations, provides water and sewer service to the areas in its franchise area.

The water and sewer systems are approved by the State of New Mexico Environmental Division. The systems are monitored and water samples are submitted to the New Mexico State Laboratory on a monthly basis for testing. Our water system is chlorinated on a twenty-four hour basis. The sewer treatment plants are continually monitored and samples are submitted to private laboratories for testing.

The above address of which you made the inquiry is in our community water/sewer franchise area. If you should need additional information on our company, please do not hesitate to contact our office at (505) 864-2218.

Sincerely,

Staci Avendano, Customer Service Supervisor
New Mexico Water Service Co.

Confirmation Number: 13146208

New Mexico

City of Rio

Communities



Transaction Details

General

133900-Licenses & Permits-Business

COURTS

NA

Credit Card Payment Address Information

Order Number 13146208

Customer Name Billy Baca

Email Address

Address 4800 Friendly Ct NW
Albuquerque, NM 87031

Phone Number (505) 975-2156

Credit Card Number 429824XXXXXX6439

Credit Card Type Visa

Expiration Date 0628

Operator Name

Transaction Time 8/20/2024 12:49:26 PM

Authorization Code 692940

Convenience Fee Authorization Code

Transaction ID 36bf3cb61c913a459cfe995484aa31dc

Purchase Type sale

Agency Total 250.00

Convenience Fee \$7.50

Total Amount 257.50

Charged to Card

ONE OR BOTH CHARGES WILL APPEAR AS PAYGOV.US ON YOUR CARD STATEMENT.

For questions about this payment, please call (866) 480-8552.

PayGov, LLC

5144 E. Stop 11 Rd. Indianapolis, IN 46237

<http://paygov.us>

Disputing a charge with your credit card company may result in an additional \$40.00 charge.



The City of Rio Communities Planning and Zoning Commission (the Commission hereinafter) met on August 22, 2024, at 6:00pm to hold a Public Forum and consider action on the Application for a Special Use Permit as required by Section 4-3-7 of Ordinance 2023-92, the Rio Communities Zoning Code.

A public forum was noticed on August 13, 2024, and held on August 22, 2024, pursuant to Zoning Code §4-18-9 at 6 pm, and members of the public spoke at the public forum. Members of the public expressed their concerns for the safety of the property, noting that transient individuals frequented the area. Questions were asked of the Applicant regarding availability of laundry facilities and other on-site amenities. The Applicant testified as to the number of RV spaces, utilities and cited his willingness to work with the adjacent property owner to develop the property without nuisance.

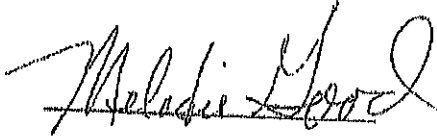
A second public forum was noticed on September 18, 2024, and held on September 26, 2024 pursuant to Zoning Code §4-18-9 at 4 pm. One member of the public spoke in favor of Mr. Baca's application.

The Commission finds that the property located on 4 Monzano Expressway, otherwise identified as UPC 1009028423060000000 and UPC 1009028435060000000, is appropriately zoned C-2.

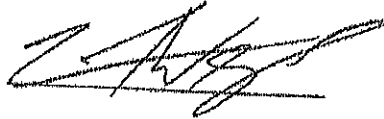
The Commission finds that the Applicant's proposed Special Use of an RV Park is permitted under Section 4-3-7(E) as it is sufficiently compliant with Special Use zoning regulation.

The Commission finds that the Applicant has complied with all requirements of §4-3-7 and §4-18-9.

Therefore, the City of Rio Communities Planning and Zoning Commission hereby recommends the application for a Special Use Permit from Billy Baca be APPROVED pursuant to Chapter 4, Section 3, Subsection 7 of the City of Rio Communities Zoning Code, Ordinance 2023-92, subject to final approval of fire access on the property by the Rio Communities Fire Department.

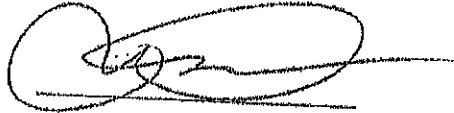


Melodie Good, Chair

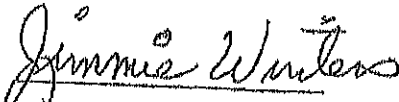


Chad Good, Vice Chair

Secretary, Vacant



Commissioner, Richard Henderson



Commissioner, Jimmie Winters

ATTEST:



Dr. Martin Moore,

(Acting) Municipal Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 2019-74 THE PENALTY ASSESSMENT PROGRAM; DEFINING PENALTY ASSESSMENT MISDEMEANORS; ESTABLISHING LISTED SCHEDULE OF PENALTY ASSESSMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREOF.

WHEREAS, the City of Rio Communities periodically does analysis on the penalty assessment **fees fines** for traffic violations; and

WHEREAS, the penalty assessment **fees fines** for traffic violations have not been updated since 2019; and

WHEREAS, the City of Rio Communities has determined a need to update the penalty assessment fines.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO:

SECTION 1.

This Ordinance may be cited as the City of Rio Communities Penalty Assessment Program.

SECTION 2. Section 2 of the City of Rio Communities Penalty Assessment Program adopted by Ordinance 2019-74 be and is hereby amended as follows:

A. As used in the Uniform Traffic **Ordinance Code** adopted by the City of Rio Communities, New Mexico, "penalty assessment misdemeanor" means violation of the following listed sections of the Uniform Traffic **Ordinance Code**, for which the listed penalty assessment is established:

<u>COMMON NAME OF OFFENSE</u>	<u>SECTION VIOLATED</u>	<u>PENALTY ASSESSMENT</u>
PEDESTRIAN CONTROL SIGNALS	12-5-7	\$ 25.00 75.00
FLASHING SIGNALS	12-5-8	\$ 25.00 75.00
DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS OR MARKINGS	12-5-10	\$ 25.00 75.00
SPEED REGULATIONS	12-6-1	
(1) Up to and including ten miles an hour over speed limit		\$ 25.00 75.00
(2) From eleven up to and including fifteen miles an hour over speed limit		\$ 30.00 90.00
(3) From sixteen up to and including twenty miles an hour over speed limit		\$ 65.00 155.00
(4) From twenty-one up to and including twenty-		

five miles an hour over speed limit		\$100.00 190.00
(5) From twenty-six up to and including thirty miles an hour over the speed limit		\$125.00 215.00
(6) From thirty-one up to and including thirty-five miles an hour over the speed limit		\$150.00 240.00
(7) More than thirty-five miles an hour over the speed limit		\$200.00 290.00
MINIMUM SPEED REGULATIONS	12-6-1.5	\$25.00 75.00
OVERTAKING A VEHICLE ON THE LEFT	12-6-2.3	\$10.00 40.00
LIMITATIONS ON OVERTAKING ON THE LEFT	12-6-2.4	\$10.00 40.00
NO PASSING ZONES & RESTRICTIONS ON PASSING	12-6-2.7	\$25.00 75.00
FOLLOWING TOO CLOSELY	12-6-2.13	\$25.00 75.00
DRIVING ON DIVIDED STREETS	12-6-2.14	\$25.00 75.00
VEHICLE APPROACHING OR ENTERING INTERSECTION	12-6-4.1	\$25.00 75.00
VEHICLES TURNING LEFT AT INTERSECTION	12-6-4.2	\$25.00 75.00
VEHICLE ENTERING STOP OR YIELD INTERSECTION	12-6-4.3	\$25.00 75.00
LIMITATIONS ON TURNING AROUND	12-6-5.5	\$10.00 40.00
STARTING PARKED VEHICLE	12-6-5.7	\$10.00 40.00
TURNING & STOPPING MOVEMENTS AND REQUIRED SIGNALS	12-6-5.8	\$25.00 75.00
STOPPING, STANDING & PARKING	12-6-6	\$25.00 75.00
SPECIAL STOPS REQUIRED	12-6-7	\$25.00 75.00
STOPPING FOR SCHOOL BUS	12-6-7.3	\$100.00 190.00
OPERATORS & CHAUFFEURS MUST BE LICENSED	12-6-12.5	\$25.00 75.00
LIMITATIONS ON BACKING	12-6-12.9	\$25.00 75.00
RESTRICTION ON USE OF VIDEO IN MOTOR VEHICLES	12-6-12.11	\$25.00 75.00
COASTING PROHIBITED	12-6-12.12	\$25.00 75.00
<u>CROSSING FIRE HOSE</u>	<u>12-6-12.14</u>	\$75.00
DESTRUCTIVE OR INJURIOUS MATERIAL ON ROADWAY	12-6-13.5	\$100.00 190.00
<u>OCCUPIED MOVING HOUSE TRAILER</u>	<u>12-6-13.9</u>	100.00
ANIMALS ON STREET	12-6-13.10	\$25.00 75.00
DRIVING ON MOUNTAIN STREETS	12-6-13.11	\$25.00 75.00
CHILD NOT IN RESTRAINT DEVICE OR SAFETY BELT	12-6-13.12	\$25.00 75.00

MANDATORY USE OF SEAT BELTS	12-6-13.13	\$25.00 50.00
POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS- FIRST OFFENSE	12-6-13.14	\$25.00 75.00
SECOND OFFENSE		100.00
LITTERING	12-6-13.15.	\$50.00 120.00
PEDESTRIAN VIOLATION	12-6-14.	\$25.00 75.00
PEDESTRIANS RIGHT-OF-WAY IN CROSSWALKS	12-6-14.2.	\$25.00 75.00
PEDESTRIANS TO USE RIGHT HALF OF SIDEWALK	12-6-14.3	\$25.00 75.00
CROSSING AT OTHER THAN CROSSWALKS	12-6-14.4	\$25.00 75.00
PEDESTRIANS ON STREETS	12-6-14.5	\$25.00 75.00
DRIVERS TO EXERCISE DUE CARE	12-6-14.8	\$25.00 75.00
DRIVING WHILE LICENSE ADMINISTRATIVELY SUSPENDED	12-6-12.6A	\$25.00 75.00
PARKING IN DESIGNATED DISABLED PARKING SPACES	12-9-9.	\$250.00-500.00
PROHIBITED ACTS	12-10-1.1	\$25.00 75.00
WHEN LIGHTED LAMPS ARE REQUIRED	12-10-1.3	\$25.00 75.00
HEADLAMPS ON VEHICLES	12-10-1.5	\$25.00 75.00
DIMMING OF LIGHTS	12-10-1.6	\$10.00 40.00
TAIL LAMPS	12-10-1.7	\$25.00 75.00
VEHICLES TO BE EQUIPPED WITH REFLECTORS	12-10-1.8	\$25.00 75.00
MUFFLERS, PREVENTION OF NOISE	12-10-1.10	\$10.00 40.00
LAMP OR FLAG ON PROJECTING LOAD	12-10-1.11	\$10.00 40.00
WINDSHIELD MUST BE UNOBSTRUCTED AND EQUIPPED WITH WIPERS; WINDOWS MUST BE TRANSPARENT; EXCEPTIONS	12-10-1.12	\$25.00 75.00
SUN SCREENING MATERIALS ON WINDSHIELDS AND WINDOWS; REQUIREMENTS; VIOLATIONS PENALTY	12-10-1.12A	\$25.00 75.00
DISPLAY OF CURRENT VALID REGISTRATION PLATE	12-10-4	\$25.00 75.00
EVIDENCE OF REGISTRATION TO BE SIGNED AND EXHIBITED ON DEMAND	12-10-5	\$10.00 40.00
VEHICLE SUBJECT TO REGISTRATION	12-10-4	\$50.00 100.00
REQUIRED LANE TRAVEL FOR TRUCK TRACTORS	12-6-18	\$250.00

- B. The term "penalty assessment misdemeanor" does not include any violation which has caused or contributed to the cause of an accident resulting in injury or death to any person.
- C. When an alleged violator of a penalty assessment misdemeanor elects to accept a notice to appear in lieu of a notice of penalty assessment, no fine imposed upon later conviction shall exceed the penalty assessment established for the particular penalty assessment misdemeanor and no probation imposed upon a suspended or deferred sentence shall exceed ninety days.
- D. The penalty assessment for speeding in violation of Section 12-6-1.2 (4) of the Uniform Traffic Ordinance Code is twice the penalty assessment established in Subsection A of Section 2 of this ordinance for the equivalent miles per hour over the speed limit.
- ~~E. In addition to the penalty assessment established for each penalty assessment misdemeanor pursuant to this section, there shall be assessed the following fees for each penalty assessment misdemeanor: a twenty dollar (\$20) Corrections Fee; a six dollar (\$6) Court Automation Fee; and a three dollar (\$3) Judicial Education Fee.~~

SECTION 3. PENALTY ASSESSMENT MISDEMEANORS; OPTION; EFFECT

- A. Unless a warning notice is given, at the time of making an arrest for any penalty assessment misdemeanor, the arresting officer shall offer the alleged violator the option of accepting a penalty assessment. The violator's signature on the penalty assessment notice constitutes an acknowledgement of guilt of the offense stated in the notice, and payment of the prescribed penalty assessment is a complete satisfaction of the violation.
- B. Payment of any penalty assessment must be made by mail to the Municipal Court, ~~Traffic Violations Bureau~~, City of Rio Communities New Mexico within thirty (30) days from the date of arrest. Payments of penalty assessments are timely if postmarked within the time limits set from the date of arrest. The ~~Traffic Violations Bureau~~ Municipal Court shall issue a receipt when a penalty assessment is paid by currency, but checks tendered by the violator upon which payment is received is sufficient receipt.
- C. No record of any penalty assessment payment is admissible as evidence in any court in any civil action.

SECTION 4. FAILURE TO PAY PENALTY ASSESSMENT

- A. If a penalty assessment is not paid within thirty (30) days from the date of arrest, the violator shall be prosecuted for the violation charged on the penalty assessment notice in a manner as if the penalty assessment notice had not been issued. Upon conviction in such prosecution, the court shall impose penalties as provided by the ~~New Mexico Uniform~~ City of Rio Communities Traffic Ordinance (Section 12-12-1.1), or other law relating to motor vehicles for the particular offense charged, and the scheduled penalty assessments shall not apply.
- ~~B. In addition to the prosecution provided for in Section 4A, it is a misdemeanor for any person who has elected to pay a penalty assessment to failure to do so within _____ days from the date of arrest.~~
- ~~D. The Office of the Municipal Court shall notify the Motor Vehicle Division of the State of New Mexico when a person fails to pay a penalty assessment within the required period of time. The Motor Vehicle Division shall report the notice upon the driver's record and shall not renew the~~

person's license to drive until the Municipal Court notifies the Motor Vehicle Division that the penalty assessment, or its equivalent, as well as any additional penalties imposed are properly disposed of.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause, phrase or any portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. ORDINANCES REPEALED

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 2024.

Mayor

ATTEST:

City Clerk

Revised 10/2024

**STATE OF NEW MEXICO
TOURISM DEPARTMENT
Litter Control and Beautification
“Clean & Beautiful” Grant Program Agreement**

THIS AGREEMENT, numbered **25-418-6002-00041-00**, is made and entered into by the **State of New Mexico Tourism Department**, hereinafter referred to as the “NMTD,” and **Rio Communities** hereinafter referred to as the “Partner” (collectively the “Parties”) and is effective as set forth below.

RECITALS

WHEREAS, the purpose of the New Mexico “Litter Control and Beautification Act,” NMSA 1978, § 67-16-1 et seq. (hereinafter “the Act”) is to control litter by authorizing NMTD to eliminate litter from the state to the maximum practical extent through a state-coordinated plan of education, control, prevention, and elimination; and

WHEREAS, the “Litter Control and Beautification Fund,” hereinafter “the Fund,” is appropriated to NMTD for the purpose of carrying out the provisions of the Act; and

WHEREAS, the Act provides that NMTD may contract with other state and local government agencies to carry out the provisions of the Act.

AGREEMENT

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES, in consideration of the mutual covenants and obligations contained herein, as follows:

I. Obligations of Partner.

- A. Perform and complete the projects and programs, expending all related funds, as outlined in the Project Award Schedule, as approved by NMTD and attached hereto as *Exhibit A*.
- B. Acknowledge that the NMTD Tourism Development Division Director reserves the right to unilaterally adjust, modify or cancel any and all awards as outlined in *Exhibit A* in order to ensure the expenditure of all funds.
- C. Agree and acknowledge project funds shall not be used for purposes other than those outlined and specified in *Exhibit A*.
- D. Request and obtain prior approval from NMTD for any and all modifications to the awarded initiatives and approved expenditures outlined in *Exhibit A*.
 1. Partners are allowed to submit up to three Budget Amendment Requests per grant cycle, one request each quarter between Quarters 1 – 3, July 2024 – April 2025
 2. An amendment to the Agreement and *Exhibit A* must be executed by all parties before Partner implements the requested change to approved expenditures.
 3. In the event Partner modifies an awarded initiative without prior approval, NMTD reserves the right to reject, cancel or stop any and all awards or works in progress.

- E. Acknowledge and comply with all Grant Program Guidelines, as approved by NMTD and attached hereto as *Exhibit B*.
- F. Comply with NMTD mandatory reporting procedures.
 - 1. Partner shall submit a Quarterly Milestone Report each quarter to NMTD staff via Survey Monkey Apply. Quarterly Milestone Reports must include progress information and photos.
 - 2. Partners must participate on or before December 30, 2024, in a Mid-Point Huddle virtual check-in meeting with NMTD staff, as described in *Exhibit B*.
- G. Submit all required documentation in a timely manner for Initial Disbursement and Final Reimbursement in accordance with the requirements described in *Exhibit B*.
 - 1. Submissions must be fully accurate and complete. Incomplete or ineligible requests will not be processed.
- H. Agree that grant funds must be expended on or before June 30, 2025.
- I. Acknowledge that any failure to adhere to the parameters set forth herein may affect Partner's eligibility for future awards.

II. Obligations of NMTD.

- A. Provide award funds for all eligible expenses in accordance with the Act and according to *Exhibit A* and *Exhibit B*.
- B. Provide access to all forms required for submission for Initial Disbursement and Final Reimbursement in accordance with the requirements described in *Exhibit B*.

III. Additional Terms & Conditions:

- A. The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico. If sufficient appropriations and authorization are not made, this Agreement shall terminate upon written notice given by NMTD to the Partner. NMTD's decision as to whether sufficient appropriations are available shall be accepted by the Partner and shall be final.
- B. This Agreement shall become effective upon its execution by both Parties and shall terminate on **June 30, 2025**. Either party may terminate or seek to further negotiate this Agreement upon sixty (60) days written notice to the other. In the event of termination, neither party may nullify obligations already incurred for performance or failure to perform, prior to the date of termination and any outstanding reimbursements shall be made pro rata.
- C. This Agreement shall not be altered, changed, or amended except by instrument of writing executed by the Parties hereto.
- D. A "Force Majeure Event" is defined as an event or effect that can be neither anticipated nor controlled which renders performance of the terms of this Agreement impossible, impracticable, or unsafe, including, but not limited to, acts of God, pandemic-related public

health orders, acts of civil or military authority, embargoes, epidemics, war, acts of terrorism, riots, insurrections, fires, explosions, earthquakes, floods, loss of power, strikes or lockout. If a Force Majeure Event occurs, neither Party will be deemed in default of this Agreement. If any Force Majeure condition affects Partner's ability to perform its obligations, Partner shall give written notice to NMTD, and Partner will offer mutually agreeable amendments to Exhibit A. Until such time as this Agreement is amended, NMTD will withhold payment of award funds as set forth in Exhibit A.

- E. Partner shall obtain prior approval from NMTD for any and all use of the Keep New Mexico True Brand. NMTD reserves the right to inspect any usage of the Brand to ensure proper quality and consistency.
- F. In the event that this Agreement will be performed during a public health emergency, Partner shall ensure that any activities are carried out in accordance with all laws, rules, regulations, safe practices and protections.
- G. The Parties shall not be jointly liable. 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 either party in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, §41-4-1, et seq., NMSA 1978, as amended.
- H. This Agreement is governed by the laws of the State of New Mexico.
- I. This Agreement is not intended to and does not create any rights in any persons or entity not a party hereto.
- J. 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, by electronic mail or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To NMTD: New Mexico Tourism Department
Chantal S. Sandoval, Clean & Beautiful Program Manager
491 Old Santa Fe Trail | Santa Fe, NM 87501
(505) 670-8059 | chantal.sandoval@td.nm.gov

To Partner: Martin Moore
Rio Communities
360 Rio Communities Blvd
Rio Communities, NM 87002
(505) 861-6803 | mmoore@RioCommunities.net

- K. The individual signing below on behalf of the Partner represents and warrants that he or she has the authority to bind the Partner, and that no further action, resolution or approval from the Partner is necessary to enter into a binding agreement.

THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of signature by the NMTD Deputy Cabinet Secretary listed below.

By: _____ Date: _____
Martin Moore, Rio Communities
PARTNER

By: _____ Date: _____
Rayline Sebay, CPO, ASD NMTD

Approved for legal sufficiency:

By: _____ Date: _____
Novela Salazar, General Counsel NMTD

By: _____ Date: _____
Jennifer Saavedra, Deputy Cabinet Secretary NMTD

The records of the Taxation and Revenue Department reflect that the Partner is registered with the Taxation and Revenue Department of the State of New Mexico to engage in business and to report and pay tax from business conducted in New Mexico.

ID Number: 03-272716-00-0

By: _____ Date: _____
Taxation and Revenue Department

FY25 New Mexico Clean & Beautiful Grant Program

EXHIBIT A

PROJECT AWARD SCHEDULE RIO COMMUNITIES

Goals & Objectives	Goal 1	Goal 2	Goal 3	Goal 4	Goal 5
End Littering					
1.2 Receptacles & Pet Waste Stations <i>Approved Expenditures: Receptacles with pet waste stations</i>	\$5,108.00				
1.2 Community Clean-up Events <i>Approved Expenditures: Roll-off dumpsters for clean-up events</i>	\$2,100.00				
1.2 Mesa Dumpster Events <i>Approved Expenditures: Roll-off dumpsters for Mesa clean-up events</i>	\$2,800.00				
1.2 Tire Disposal Events <i>Approved Expenditures: Residential tire disposal events</i>	\$1,200.00				
1.3 Clean-up Activities <i>Approved Expenditures: Trash bags, nitrile gloves, & safety vests</i>	\$1,570.00				
Reduce Waste					
2.1 Reusable Shopping Bags <i>Approved Expenditures: Reusable shopping bags</i>		\$450.00			
2.2 Repurposed Tree Benches <i>Approved Expenditures: Repurposed tree benches</i>		\$1,000.00			
Beautify Communities					
3.2 Plants, Seeds, & Seedlings <i>Approved Expenditures: Plants, seeds, & seedlings</i>			\$700.00		
3.4 Graffiti Eradication & Equipment <i>Approved Expenditures: Graffiti remover, brushes, rollers, googles, & nitrile gloves</i>			\$1,100.00		
Empower Youth					
4.2 Youth Groups <i>Approved Expenditures: Youth subcontractor groups for clean-up events / beautification projects</i>				\$2,500.00	
Increase Program Capacity					
Goal Subtotals	\$12,778.00	\$1,450.00	\$1,800.00	\$2,500.00	\$0.00
Total Award	\$18,528.00				

Approved by: *Holly Kelley*
NMTD Tourism Development Division Director

Date 08.09.2024

EXHIBIT B

**NEW MEXICO TOURISM DEPARTMENT
CLEAN AND BEAUTIFUL GRANT PROGRAM
FY25 GUIDELINES**

GRANT PURPOSE

The purpose of the New Mexico "Litter Control and Beautification Act," NMSA 1978, § 67-16-1 et seq., is to accomplish litter control by vesting in the New Mexico Tourism Department (Department) the authority to eliminate litter from the state to the maximum practical extent. The Department shall aid in establishing a statewide Keep America Beautiful Program through the New Mexico Clean and Beautiful Grant Program to end littering, improve recycling, and beautify New Mexico communities.

ELIGIBILITY

All New Mexico municipalities, counties, units of government, and Tribal Governments in good standing with New Mexico Taxation and Revenue Department are eligible for funding (correct New Mexico State Tax ID numbers are required within the application process). Entities need not be Keep America Beautiful affiliates to apply.

ELIGIBLE EXPENDITURES

Projects and initiatives that contribute to the following goals and objectives, as identified through Keep America Beautiful and the Litter Control and Beautification Act, may be eligible for funding:

Goal #1 - End Littering

- Objective 1.1 – Prevent littering.
- Objective 1.2 – Provide access to proper waste disposal.
- Objective 1.3 – Remove litter.

Goal #2 – Reduce Waste

- Objective 2.1 – Reuse.
- Objective 2.2 – Repair.
- Objective 2.3 – Repurpose.
- Objective 2.4 – Improve composting and sustainable organics management.
- Objective 2.5 – Improve recycling and sustainable materials management.

Goal #3 - Beautify Communities

- Objective 3.1 – Improve green spaces through sustainable park design.
- Objective 3.2 – Maximize sustainable landscaping throughout communities.
- Objective 3.3 – Prevent graffiti.
- Objective 3.4 – Eradicate graffiti.

Goal #4 – Empower Youth

- Objective 4.1 – Educate students.
- Objective 4.2 – Provide service opportunities for youth groups.
- Objective 4.3 – Employ youth interns.
- Objective 4.4 – Provide youth leadership opportunities.
 - Youth initiatives must directly contribute to at least one of the above-mentioned goals.
 - Applicants may either hire a youth group as a subcontractor or hire individual youths.
 - For individual youth interns:

- a) Individuals must be between 14 to 25 years of age.
- b) Salary range = at least local minimum wage.
- c) Youth Employment Verification forms are required for each youth employed.

Goal #5 -- Increase Program Capacity

Objective 5.1 – Recruit and engage volunteers.

Objective 5.2 – Build coalitions through professional affiliations.

Objective 5.3 – Increase knowledge through professional development.

- Activities must directly contribute to at least one of the above-mentioned goals.

INELIGIBLE EXPENDITURES

NMTD shall have the right in its sole discretion to approve or disapprove Partner's projects and/or expenditures submitted for final reimbursement. Items identified by the Department pursuant to the Keep America Beautiful and the Litter Control and Beautification Act that are ineligible for purchase with grant funds include but are not limited to:

- Benches and tables made from non-recycled material
- Disinfectant wipes
- Disinfectants & air fresher
- Fencing materials
- Food and/or drink
- Fuel
- Gardening tools
- Hardware for signage: trash receptacles & benches, etc.
- Heavy machinery rentals
- Irrigation
- Labor (with the exception of youth subcontractors)
- Landscaping fabric
- Landscaping pavers
- Landscaping rock
- Leather and cotton gloves
- Lighting
- Rakes
- Shears
- Shovels
- Watering hoses
- Weed barrier & eradication spray
- Wheelbarrows

GRANT AGREEMENT

The grant award will be officially executed upon receipt by the Department of the signed grant agreement. Agreements will incorporate two accompanying exhibits: Project Award Schedule – including Approved Expenditures (*Exhibit A*) and these Grant Program Guidelines (*Exhibit B*).

INITIAL DISBURSEMENT OF FUNDS

Partners will be eligible to receive 50% of the total award amount following the execution of the grant agreement and submission of the Initial Disbursement Invoice. This form is available for download at the [NM Clean & Beautiful Grant Resources webpage](#).

COMPLIANCE REPORT REQUIREMENTS

Partner shall submit a Quarterly Milestone Report each quarter to NMTD staff via Survey Monkey Apply.

- Quarterly Milestone Reports shall include progress for all approved projects including but not limited to:

- Implementation updates
- Existing or anticipated challenges
- Anticipation for Budget Amendment Requests
- Photos and videos
- Media mentions

Partner shall participate in a Mid-Point Meeting with NMTD staff on or before December 30, 2024.

- Partner must provide up-to-date financial documentation and current Project Expense Worksheet.
- Partner must provide project progress updates for all grant funded projects.

MEMORANDUMS OF UNDERSTANDING WITH NONPROFIT ORGANIZATIONS AND SCHOOLS

Unless previously approved by the Department, this grant shall not benefit any person or organization other than the awarded Partner. In the event Partner chooses to partner with a local non-profit or New Mexico school district to implement and complete an awarded project or initiative, Partner must provide either a Memorandum of Understanding, sub-agreement and/or signed attestation detailing their performance and responsibilities relating to the grant award.

VOLUNTEER SIGN-SHEETS

All volunteer hours should be documented on a Volunteer Sign-In Sheet. Sign-in sheets should specify the name, age, event, date, location and time logged. All volunteer names must be clear and legible.

YOUTH EMPLOYMENT VERIFICATION

Individuals from the ages 14 to 25 years of age may be hired to provide leadership opportunities and contribute to Partner's awarded initiative. Youth Employment Verification forms are required for each youth employed and must be submitted to the Department. Partner will not be reimbursed for hired youth interns absent the required forms.

MATCHING REQUIREMENTS

This grant requires a 25% match. The following sections may be used to determine the costs and calculate totals for In-Kind & Monetary Donations, which must be reported in the End-of-Year Report.

Donated Goods or Services:

Entities may receive non-monetary contributions of goods or services, often referred to as "in-kind donations" from businesses, groups, and individuals. Examples include private waste hauler services, "pro-bono" accounting services, food/drinks, donated advertising space, or office space in a nongovernment building. The dollar value of any donated goods or services is equal to the market price of the goods or services contributed. Whenever possible, submit the dollar-value in writing.

How to Calculate Government Costs:

Government employee time and services for which they receive government salary, overtime or compensatory time are considered a cost. If a government employee is working on a project on their own time, as a volunteer or board member, calculate their time as a volunteer hour. Government in-kind goods include hauling by sanitation vehicles, printing, and the use of consumable supplies. To calculate the value of in-kind government agency costs, estimate the market value of the goods or services provided to your affiliate and add to that the dollar-value for each hour of work given by government employees.

Volunteer Hours:

All volunteer hours should be documented on a Volunteer Sign-In Sheet. Volunteer Sign-In sheets must include event date, location, and number of hours volunteered. Each volunteer hour should be assigned the applicable state value provided by Independent Sector unless a professional provides a specific value for professional services. Current value for volunteer hours is available at <https://independentsector.org/resource/value-of-volunteer-time>.

REIMBURSEMENT REQUIREMENTS

In order to receive reimbursement for the remaining 50% of the total award amount, Partners must submit the Final Reimbursement Request Packet at project end.

Final Reimbursement Request Packet should include, submitted no later than June 2, 2025:

- Final Reimbursement Invoice
- Project Expense Worksheet with back-up documentation*
- Youth Employment Verification forms, if applicable
- Event and trainings registration confirmations, and Keep America Beautiful Affiliate dues receipt, if applicable

Final Reimbursement Request Packet should include, submitted no later than July 3, 2025:

- End-of-Year Report
- Volunteer Sign-in Sheet, if applicable

*Eligible back-up documentation includes:

1. Invoices or receipts

AND

2. Cleared checks, warrants, bank statements or an attestation by Partner's CFO or equivalent financial authority.

SUBMISSION REQUIREMENTS

Submission of all required forms and back-up documentation must be submitted via upload to the Survey Monkey Apply portal located at: <https://nmtourism.smapply.io/>

PROGRAM RESOURCES

All required forms are available for download at the NM Clean & Beautiful Grant Resources webpage at: <https://nmtourism.smapply.io/res/p/nmcbresources/>

PROGRAM ASSISTANCE

Clean & Beautiful Grant Program Manager (Chantal Sandoval) will establish communication schedules and provide technical (programmatic) assistance for all awardees. She can be reached by email at chantal.sandoval@td.nm.gov or by phone at 505-670-8059.