Regular Governing Body Meeting
City of Rio Rancho
AGENDA
November 16, 2023
6:00 PM
Council Chambers

Governing Body Members

Greggory D. Hull, Mayor	Paul Wymer, Councilor District 4
Jim Owen, Councilor District 1	Karissa Culbreath, Councilor District 5
Jeremy Lenentine, Councilor District 2	Nicole List, Councilor District 6
Bob Tyler, Councilor District 3	

Meeting Information
This meeting will be conducted in-person and virtually, as well as, streamed live on the City of Rio Rancho website at https://rrnm.gov/2303/Watch-and-Download-City-Meetings

Public comment on agenda items can be taken in-person or remotely via Zoom meeting software with the access information below.

Join by Computer: https://us06web.zoom.us/j/85302353741?pwd=bWp1QXliSGJoeHhJaGVOczF4MDN0UT09

Meeting ID: 853 0235 3741
Passcode: 789419

Join by Phone:
Dial +1 253 215 8782 US then enter Meeting ID and Passcode

Call to Order and Pledge of Allegiance

Proclamations and Awards of Merit

1. Mayor Hull's 2023 Fall Community Cleanup - Cleanup Team Winners Award Presentation

Public Forum
Pursuant to Section 30.06 Rio Rancho Municipal Code, this section of the agenda is conducted as follows:

(A) Public forum. Any person wishing to address the governing body on any item which is not on the agenda, shall register with the City Clerk within 15 minutes before the beginning of the meeting. Speakers shall be recognized in the order of registration with the City Clerk.
(B) Manner of address. Each person shall seek the recognition of the presiding officer. Each person shall give his name and address. Comments or questions shall be addressed to the governing body as a whole through the presiding officer and not to any members thereof. No person shall enter into any discussion without the permission of the presiding officer.
(C) Time limit. The presiding officer may place a limit on the amount of time any person may speak after being recognized.

*Must be in-person to participate under Public forum. Remote access is not available.

Comments by Councilors

Consent Calendar
There will be no discussion of these items unless a Governing Body Member so requests, in which event the item will be moved to a discussion item on the regular agenda.

2. Minutes of October 17, 2023 Work Session Meeting
Minutes of October 17, 2023 Work Session Meeting

3. Minutes of October 26, 2023 Regular Meeting
Minutes of October 26, 2023 Regular Meeting

4. R136, Resolution Authorizing the Disposal and Trade-In of Library Materials
Resolution
Exhibit A

5. R137, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) to Purchase and Equip Vehicles for the Fire Marshal's Office
Resolution

6. R138, Resolution Authorizing a Budget Adjustment to the State Appropriations Capital Fund (315) for the Purchase of a Library Item Sorter
Resolution

7. R139, Resolution Authorizing the Disposal of City Property Located at the Sandoval County Regional Emergency Communications Center
Resolution
Exhibit

8. R140, Resolution Authorizing a Budget Adjustment to the Sandoval County Regional Communication Center (280) Fund
Resolution

9. R141, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) to Purchase and Equip an Ambulance
Resolution

10. R142, Resolution Authorizing Budget Adjustment to the State Appropriations Capital Fund to Purchase Fire & Rescue Ambulance and Safety Equipment
Resolution

11. R143, Resolution Authorizing a Budget Adjustment to the State Appropriations Capital Fund to Purchase Firefighting Equipment
Resolution

12. R144, Resolution Authorizing Disposal of a Generator at Rio Rancho Fire Station 3
Resolution

13. R145, Resolution Authorizing a Budget Adjustment to the Federal Grants Fund (259) for the Drug Enforcement Agency Region One State and Local Task Force Grant Award for FY 2024
Resolution

14. R146, Resolution Authorizing a Budget Adjustment for the Acceptance of State of New Mexico Law Enforcement Recruitment Funds to Hire Law Enforcement Officers and Law Enforcement Support

Positions
Resolution

15. R147, Resolution Authorizing a Budget Adjustment to the Utilities Operations Fund (501) for Equipment Rental
Resolution

16. R148, Resolution Authorizing Disposal of Police Department Property (Vehicles)
Resolution
Exhibit A.docx

17. R149, Resolution Authorizing Disposal of Police Department Property
Resolution
Exhibit A

18. D42, Appointment of Lanny Busher to the Keep Rio Rancho Beautiful Committee
Lanny Busher - Resume Sept 2023_Redacted.pdf

19. D43, Appointment of Scottie Richardson to the Planning and Zoning Board
Richardson Resume_Redacted.pdf

Boards and Commissions

Public Hearings

20. O26, Ordinance of the City of Rio Rancho, New Mexico Amending the Zoning Classification and Official Zoning Map for the Property Legally Described as Los Diamantes 2, Block 10, Lots 63 to 68 from R-1: Single-Family Residential District to R-3: Mixed Residential District; Identifying Conditions of Development, Providing for Severability and an Effective Date
Ordinance
Zoning Location
Reproduction of Notices, Legal
Reviewer_Comments_Combined
Book 33 Page 60-67 (Corrected Final Plat)
Unit 10 SAP Map 6
Plats for Los Diamantes Phase 2_Summary, Prelim, Final_propertylabeled.pdf

21. Public Hearing for Community Development Block Grant (CDBG) Proposed Amendment to 2018-2022 Consolidated Plan and Action Plans 2020, 2021, 2022
0001579419-01.pdf
0001579420-01.pdf

Second Reading of Ordinances

First Reading of Ordinances

22. O27, Ordinance Amending Chapter 154, Planning and Zoning, to Create Section 154.79 Condominium Declarations; Providing for Severability and an Effective Date
Ordinance
2023-1116 GB Legal Ad

23. O28, Ordinance Amending Chapter 36, Finance and Revenue, for the Creation of Section 36.130, Affordable Housing Ordinance; Providing for Severability and an Effective Date
Ordinance
R115_-_Signed.pdf

24. O29, Ordinance Amending Portions of Chapters 91 Nuisances; Health and Sanitation, Chapter 94 Parks and Open Spaces, Chapter 130 General Provisions, Chapter 131 Offenses Against Order and Safety, Chapter 132 Offenses Against Property, and Chapter 154 Planning and Zoning
Ordinance

25. O30, Ordinance Amending Chapter 30 Governing Body
Ordinance

Discussion and Deliberation

26. R150, Resolution Approving the Proposed Community Development Block Grant (CDBG) Substantial Amendment and a Budget Adjustment to the CDBG Fund (375)
PW CDBG_Substantial_Amendment_11_2023_Resolution.docx

27. R151, Resolution Repealing and Replacing Governing Body Rules of Procedure
Resolution
Rules of Procedure Governing Body as of July 22 2015.pdf
Updated Rules of Procedure Governing Body

28. R152, Resolution to Require Immediate Removal or Repair of Ruined Building, Structures, Rubbish, Wreakage, Weeds, and Debris, and Abatement of Premises at 2009 Grande Blvd. SE, Rio Rancho, NM 87124
Resolution
2009 Grande Blvd Exhibit 1.pdf
2009 Grande Blvd Exhibit 2.pdf
2009 Grande Blvd Exhibit 3.pdf
2009 Grande Blvd Exhibit 4.pdf
2009 Grande Blvd Exhibit 5.pdf

City Manager

Comments by Councilors

Adjournment

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Parks, Recreation & Community Services

SUBJECT:
Mayor Hull's 2023 Fall Community Cleanup - Cleanup Team Winners Award Presentation

BACKGROUND AND ANALYSIS:
On Saturday, September 16th, 127 volunteers, many in larger teams, removed 18.61 tons of illegally dumped waste and roadside litter from the open spaces of Rio Rancho. Some of the teams chose to compete for a cash prize provided to the Rio Rancho Kiwanis by Waste Management of New Mexico. Mayor Hull and the City's Keep Rio Rancho Beautiful Division would like to thank our community volunteers for their hard work to make the City a cleaner, more beautiful place.

The award winning teams are as follows:
3rd Place - Jacobs Engineering who collected 2.83 tons of waste; they have requested their check award be made out to Haven House, Inc.
2nd Place - AMREP Southwest who collected 3.28 tons of waste; they have requested their check award be made out to RRPD Explorer Post 911 for the Police Toy Drive
1st Place - Hewlett-Packard Sustainability who collected 5.57 tons of waste; they have requested their check award be made out to NM Forest Re-Leaf

IMPACT:
There is no impact to the City's general fund

ALTERNATIVES:
Make the presentation
Do not make the presentation

DEPARTMENT RECOMMENDATION:
Mayor Hull, a Waste Management representative and possibly Dave Heil representing the Rio Rancho Kiwanis - Make a formal presentation of the awards to 1st, 2nd and 3rd place winners

CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
November 16, 2023

DEPARTMENT:
City Clerk

SUBJECT:
Minutes of October 17, 2023 Work Session Meeting

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: Minutes of October 17, 2023 Work Session Meeting

Governing Body
of the
City of
Rio Rancho
Special
Work Session
MINUTES
OCTOBER 17, 2023
3:00 p.m.
Council Chambers

MEMBERS PRESENT:
Greggory D. Hull, Mayor
Jeremy Lenentine, Dist. 2 (arrived 3:03 p.m.)
Paul Wymer, Councilor Dist. 4
Karissa Culbreath, Councilor Dist. 5
Nicole List, Councilor Dist. 6

MEMBERS ABSENT:
Jim Owen, Councilor Dist. 1
Bob Tyler, Councilor Dist. 3

STAFF & SPECIAL GUEST PRESENT:
Matt Geisel, City Manager
Peter Wells, Deputy City Manager
Josh Rubin, City Attorney
Carol Jaramillo, Director of Financial Svcs.
Connie Peterson, Dir. Parks, Rec. & Comm Svcs.
Jim Chiasson, Director of Utilities
Amy Rincon, Director of Development Svcs.
Yolanda Lucero, Deputy City Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Hull called the meeting to order at 3:00 p.m.

Discussion

1. Impact Fees Update

Amy Rincon, Director of Development Services presented the Impact Fee update and schedule. Impact Fees are one-time charges that are imposed at building permit stage on all development projects within a defined geographic area and funds facilities to service new development.

Staff looked at the gap in Impact Fees and Purchase Power from July 2017 – June 2023 for Impact Fees, Consumer Price Index, Producer Price Index – Final Demand, Producer Price Index – Construction. She went over the increases. There are two proposed True-Up options.

- Option A: 17.34%, average of CPI, PPI Final Demand and PPI Construction
- Option B: 20.31% weighted towards construction cost (50% PPI Construction, 25% PPI Final Demand and 25% CPI)

Staff is proposing Option B. The starting point for FY25 is the True-Up Value at 20.31% except for water which is the consultant recommendation. Moving Forward staff will take a modified version of the presentation to CIPCAC on methodologies for Impact Fee

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updates and public outreach will take place with NAIOP and Home Builders Association. At the December Governing Body Work Session further dialog will occur and in January CIPCAC will review and staff will seek final Governing Body approval in late winter/spring 2024 with implementation taking place July 1, 2024.

2. Development Process Manual Update

Ms. Rincon stated Rebecca Longstreet with Dekker/Perich/Sabatini will provide an update.

Rebekah Longstreet, Planner with Dekker/Perich/Sabatini gave an update on the Development Process Manual (DPM). The Manual provides design criteria and procedures for development. It was last revised in 2010. The proposed changes are to reorganize, update graphics, update standards to reflect national best practices and to provide consistency with SSCFCA requirements, update procedures to reflect current practices and clarify standards by removing conflicting requirements. She went into further detail on the changes being proposed. The next steps are to have the DPM Committee have a final review and approval and in January 2024, seek input from the Planning and Zoning Board with final review and approval by the Governing Body in February 2024.

3. Water/Sewer Rates Update

Jim Chiasson, Utilities Director gave a brief update of the Utilities Rate Structure. The previous rate increase went into effect 5 years ago of 1.75% increase for water each year. The final increase will be this year. There has been no wastewater increase since 2016. Also, Water Rights Acquisition Fees have not been adjusted since 2013. The Bulk Fill Station was installed and went onto service in 2012. The rate structure has not been reviewed or changed since it went into service. The Station services predominantly people outside of the City. There is currently 100+ homes/lots in the County with water service at the property line. In 2003, a moratorium on connections to the City system in the County was introduced. In 2014, the moratorium was reviewed and upheld. Also, Phase 1 of the AMI Installation Project is underway and includes 2,897 smart meters in Cabezon. The project will be completed in 4 months and cost approximately $1.2 million. There is a 5-year plan to install 6,000 meters a year.

The meeting adjourned at 4:44 p.m.

APPROVED THIS NOVEMBER 16, 2023

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Greggory D. Hull, Mayor

ATTEST:

_____

Rebecca A. Martinez, City Clerk
(SEAL)

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CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
November 16, 2023

DEPARTMENT:
City Clerk

SUBJECT:
Minutes of October 26, 2023 Regular Meeting

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:

ATTACHMENT: Minutes of October 26, 2023 Regular Meeting

Governing Body
of the
City of Rio Rancho

MINUTES
OCTOBER 26, 2023
6:00 PM
Council Chambers, City Hall

MEMBERS PRESENT:	STAFF PRESENT:
Greggory D. Hull, Mayor	Matt Geisel, City Manager
Jim Owen, Councilor Dist. 1	Peter Wells, Deputy City Manager
Jeremy Lenentine, Councilor Dist. 2	Josh Rubin, City Attorney
Bob Tyler, Councilor Dist. 3	Rebecca Martinez, City Clerk
Paul Wymer, Councilor Dist. 4	Amy Rincon, Dir. of Development Svcs.
Nicole List, Councilor Dist. 6	James DeFillippo, Fire Chief
	Carole Jaramillo, Director of Financial Services
MEMBERS ABSENT:	Connie Peterson, Dir. of Parks, Rec & Comm Svcs.
Karissa Culbreath, Councilor Dist. 5	Stewart Steele, Police Chief
	Yolanda Lucero, Deputy City Clerk

Call to Order and Pledge of Allegiance

Mayor Hull called the meeting to order at 6:00 p.m.

Proclamations and Awards of Merit

1.) Annual State of the City Report - Mayor Greggory D. Hull

2.) Mayor Hull's 2023 Fall Community Cleanup - Cleanup Team Winners Award Presentation

Mayor Hull stated the Annual State of the City Report has been provided and posted on the City website and City YouTube channel for review. Also, the 2023 Fall Clean-up presentation will be postponed to the November 16, 2023 Governing Body Meeting.

Public Forum

Comments by Councilors

Consent Calendar

3.) Minutes of October 12, 2023 Regular Meeting
4.) R125, Resolution Approving 2024 Holiday Schedule for City Employees
5.) R126, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) to Plan, Design, and Construct City Center Campus Park Phase 2

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6.) R127, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) and Recreation Activities Fund (206) to Replace Rainbow Pool Sand Filter
7.) R128, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) to Replace the Playground and Surfacing, Purchase and Install Shade Structures, and Improve Access at the Rio Rancho Sports Complex
8.) R129, Resolution Authorizing a Budget Adjustment to the Utilities Equipment Replacement Fund (512) for a Two-Year Extended Warranty for the Hydro Excavator
9.) R130, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) to Plan, Design, Construct, and Improve Parking Lots at the Rio Rancho Sports Complex
10) R131, Resolution Authorizing the Disposal of Playground Structures at the Rio Rancho Sports Complex
11.) R132, Resolution Authorizing the Disposal of Field 1 and 2 Parking Lot at the Rio Rancho Sports Complex
12.) R133, Resolution Authorizing Disposal of the Rainbow Pool Filter
13.) R134, Resolution Authorizing a Budget Adjustment to the City Facility Improvement Fund (313) for Facility Improvements

Bob Tyler moved to approve consent calendar. Seconded by Paul Wymer

The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

Boards and Commissions

Public Hearings

14.) D40, Site Plan Approval for Townhouses at the Addresses of 700, 704, and 708 Southern Blvd. SE

Amy Rincon, Director of Development Services presented this item. The applicant requests site plan approval for a townhouse development. The subject properties are located at 700, 704, and 708 Southern Blvd. SE and consist of approximately 3 acres. The subject properties were zoned in 2007 to allow for Townhouses through the adoption of SU: Special Use Multi-Family Residential District for Townhouses and are within the Unit 10 Specific Area Plan. The Planning and Zoning Board recommends approval with findings and conditions.

Matthew Herrera, Applicant gave a brief overview and was available for any questions.

Paul Wymer moved to approve D40. Seconded by Jeremy Lenentine

The motion carried by a vote of 6 FOR and 1 AGAINST.
YES: Greggory Hull, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List

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NO: Jim Owen

15.) D41, Site Plan Approval for Proposed Overflow Parking at 1805 Wellspring Ave. SE

Ms. Rincon presented this item. The applicant, Mechenbier Construction, Inc., requests site plan approval for the property of 1805 Wellspring Ave. SE. The Applicant seeks to provide overflow parking for the adjacent parcel of 1817 Wellspring Ave SE (Eye Associates building). The site plan provides for forty-three 9' x 18' parking spaces, with a 24' drive aisle. Four parking spaces on the adjacent parcel of 1817 Wellspring Ave. SE will be removed to provide cross-access between 1805 and 1817 Wellspring Ave. SE. Staff recommends the Governing Body approve the request with findings of fact and conditions of approval.

Bob Tyler moved to approve D41. Seconded by Paul Wymer

The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

Second Reading of Ordinances

16.) O16, Ordinance Amending Ordinance No. 28, Enactment No. 22-29 Relating to the Issuance and Sale of City of Rio Rancho, New Mexico Taxable Industrial Revenue Bonds (Atrisco Energy Storage LLC Project), In a Maximum Principal Amount of up to $420,000,000, for the Purpose of Approving Allocation of the Annual Payments In Lieu Of Taxes (PILOT) to Rio Rancho Public Schools (RRPS) and Albuquerque Public Schools (APS) in Conformity with the Requirements of Section 3-32-6 NMSA 1978; Authorizing Execution and Delivery of the Bonds with Updated Series Designation to Reflect the Date of Issuance and Delivery; Ratifying Certain Actions Taken Previously; and Repealing All Actions Inconsistent with this Ordinance

Rebecca Martinez, City Clerk presented O16 and O17 together. This is the second reading of both items. There are a couple non-substantive clerical changes that were discovered after the first reading and although the changes can be done administratively, staff is recommended the Governing Body amend the Ordinance. She went over the proposed amendments that staff if proposing.

Bob Tyler moved to approve O16. Seconded by Jeremy Lenentine

Bob Tyler moved to amend O16 to insert the work “Energy” on line 17, to read as Atrisco Energy Storage LLC. Seconded by Jeremy Lenentine

The motion to amend carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List

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NO: None

The main motion as amended carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

17.) O17, Ordinance Amending Ordinance No. 29, Enactment No. 22-230 Relating to the Issuance and Sale of City of Rio Rancho, New Mexico Taxable Industrial Revenue Bonds (Atrisco Energy Solar LLC Project), In a Maximum Principal Amount of up to $430,000,000, for the Purpose of Approving Allocation of the Annual Payments In Lieu Of Taxes (PILOT) to Rio Rancho Public Schools (RRPS) and Albuquerque Public Schools (APS) in Conformity with the Requirements of Section 3-32-6 NMSA 1978; Authorizing Execution and Delivery of the Bonds with Updated Series Designation to Reflect the Date of Issuance and Delivery; Ratifying Certain Actions Taken Previously; and Repealing All Actions Inconsistent with this Ordinance

Jeremy Lenentine moved to approve O17. Seconded by Bob Tyler

Bob Tyler moved to amend O17, to delete the word “Energy” in the title on line 3 to read as Atrisco Solar LLC Project and delete the word “Storage” on line 17 to read as Atrisco Solar LLC. Seconded by Jeremy Lenentine

The motion to amend carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

The main motion as amended carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

18.) O20, Ordinance Amending Chapter 36, Finance and Revenue, Sections 36.05 through 36.08

Carol Jaramillo, Director of Financial Service's presented this item. This is the second reading that amends Sections 36.05 through 36.08 of Municipal Code. Specifically, it addresses certain limitations on expenditures, requirements of recording and reporting on the City's finances, the payment of City funds, and audit requirements. The proposed amendments will clarify and modernize the Municipal Code to enable compliant use of current technologies.

Bob Tyler moved to approve O20. Seconded by Jim Owen

The motion carried by a vote of 6 FOR and 0 AGAINST.

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YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

19.) O21, Ordinance Amending Chapter 154, Planning and Zoning, for the Addition of Off-Premises Advertising Signs to Section 154.45; Providing for Severability and an Effective Date

Ms. Rincon stated this is the second reading proposing to amend R.O. 2003 Chapter 154 Planning and Zoning for the addition of Off-Premises Digital Advertising Signs to Section 154.45, being moved from its existent location in R.O. 2003 Chapter 156.33.

Jim Owen moved to approve O21. Seconded by Bob Tyler

The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

20.) O22, Ordinance Repealing and Replacing Chapter 156, Sign Regulations; Providing for Severability and an Effective Date

Ms. Rincon stated staff is seeking repeal and replace of Rio Rancho Code of Ordinances (R.O. 2003) Title XV Land Uses Chapter 156 Sign Regulations. The new sign code would be effective January 1, 2024. For the first six months of 2024, Staff will focus on education of the new sign code with applicants and stakeholders. The Planning and Zoning Board approved the text amendment and recommend approval.

Paul Wymer moved to approve O22. Seconded by Jeremy Lenentine

The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

21.) O23, Ordinance Granting Vexus Fiber, LLC, a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City Limits by Utilizing Public Places Via the Payment of Franchise Fees for a Period of 10 Years

Matt Geisel, City Manager stated this is the second reading. Vexus Fiber, LLC, desires to obtain a franchise to operate a telecommunications network within the City limits by utilizing certain public places the payment of franchise fees for a period of 10 years. Approval of the Franchise Ordinance will help to facilitate options for citizens related to their internet service, and it will generate revenue for the City that will be used to fund and provide a variety of public services through the City's General Fund. Approval of the Ordinance does not prohibit another telecommunications provider's potential

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deployment of a telecommunications network and other services in Rio Rancho, should they desire to do so.

Jeremy Lenentine moved to approve O23. Seconded by Bob Tyler
The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List
NO: None

First Reading of Ordinances

Discussion and Deliberation

22.) R135, Resolution Authorizing Placement of Ballot Questions on the March 5, 2024 City of Rio Rancho Municipal Officer Election Ballot for the Purpose of Voting on the Issuance of General Obligation Bonds; Describing the Purposes for Which the Bond Proceeds Would be Used; Providing the Form of the Ballot Questions; Providing for Notice of the Ballot Questions; and Ratifying Action Previously Taken in Connection Therewith

Peter Wells, Deputy City Manager stated the City has the opportunity to place General Obligation Bond questions on the March 5, 2024 ballot. In consultation with the City's financial advisor, and based on property tax value estimates, a total of $16,000,000 in bond questions could be placed on the ballot. On April 18, 2023, a Governing Body work session meeting was held where a General Obligation Bonds overview and discussion took place. At this meeting, City staff presented information, options, and recommendations for bond questions for ballot consideration. What is presented in the Resolution is based on the information provided at the April meeting and corresponding Governing Body input, 2023 citizen survey data, and input from the citizen Library Advisory Board, Parks and Recreation Commission, and Public Infrastructure Advisory Board. If the Resolution is approved and the General Obligation Bonds questions for Roads ($10,600,000), Public Safety ($4,200,000) and Quality of Life Facilities ($1,200,000) are approved by voters on March 5, 2024, no corresponding property tax rate increase would occur. This is the case because previously issued bonds have been paid off and retired, and these new and approved bonds would replace them (i.e., a continuation of the bonding cycle). The City's long-range planning documents factor in continued use of bonds and maintaining a regular bonding cycle to address identified needs. Bonding provides a predictable source of funds that is considered the most secure form of municipal debt, is the most cost-efficient form of borrowing, and has favorable terms with no additional security or reserve funds required.

Jeremy Lenentine moved to approve R135. Seconded by Jim Owen

The motion carried by a vote of 6 FOR and 0 AGAINST.
YES: Greggory Hull, Jim Owen, Jeremy Lenentine, Bob Tyler, Paul Wymer, Nicole List

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NO: None

City Manager

Comments by Councilors

Adjournment

APPROVED THIS NOVEMBER 16, 2023

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Greggory D. Hull, Mayor

ATTEST:

_____

Rebecca A. Martinez, City Clerk

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CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R136

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Library and Information Services

SUBJECT:
R136, Resolution Authorizing the Disposal and Trade-In of Library Materials

BACKGROUND AND ANALYSIS:

The Department of Library and Information Services periodically removes materials from circulation due to wear and tear, materials being outdated, or materials being duplicative and no longer needed. The department's primary book vender, Baker and Taylor, operates the Sustainable Shelves Program, which allows the library to trade-in materials for credit toward future purchases and recycle outdated and poor condition items at no cost to the City. The trade-in credit for the attached list is $287.14.

IMPACT:
The trade-in credit toward future purchases is in the best interest of Rio Rancho because it creates additional resources for the libraries and its patrons to use, and recycling or otherwise disposing items, which are in poor condition or out-of-date, will free up space in the library allowing the City to continue providing quality services to the community.

ALTERNATIVES:
Approve the Resolution.

Do not Approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE DISPOSAL AND TRADE-IN OF LIBRARY MATERIALS

WHEREAS: the Department of Library and Information Services periodically removes materials from circulation due to wear and tear, materials being outdated, or materials being duplicative and no longer needed; and

WHEREAS: the department's primary book vender, Baker and Taylor, operates the Sustainable Shelves Program, which allows the library to trade-in materials for credit toward future purchases and recycle outdated and poor condition items at no cost to the City; and

WHEREAS: the trade-in credit toward future purchases is in the best interest of Rio Rancho because it creates additional resources for the libraries and its patrons to use, and recycling or otherwise disposing items, which are in poor condition or out-of-date, will free up space in the library allowing the City to continue providing quality services to the community.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

The items listed in the attachment of this Resolution, marked Exhibit A, are hereby authorized and approved for "trade-in" to receive credit from Baker and Taylor or to be recycled or otherwise disposed under the "Sustainable Shelves" Program.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

Exhibit A

Disposals
Library and Information Services
November 16, 2023

ISBN	Status
9781643584188 (hardcover : large print);"1643584189 (hardcover : large print)"	Recycle
9781683241553 (hardcover : alk. paper);"168324155X (hardcover : alk. paper)"	Recycle
9781410478528 (hardcover);"1410478521 (hardcover)"	Recycle
9781401224271 (v. 1);"140122427X (v. 1)";"9781401228798 (v. 2)";"1401228798 (v. 2)";"9781401230975 (v. 3)";"1401230970 (v. 3)";"9781401233907 (v. 4)";"1401233902 (v. 4)"	Credit
9781335639134 (paperback);"1335639136 (paperback)"	Recycle
9780593331309 (hardcover);"0593331303"	Credit
9781432849443 (large print : hardcover);"1432849441 (large print : hardcover)"	Credit
9781432867966 (hardcover) (large print);"1432867962 (hardcover) (large print)"	Recycle
9781410447975 (hardcover);"1410447979 (hardcover)"	Credit
9781410490247 (hardcover);"1410490246 (hardcover)"	Recycle
9781410481191 (hardback);"1410481190 (hardcover)"	Recycle
9781410444066 (alk. paper);"1410444066 (alk. paper)"	Recycle
9781410474193 (hardcover);"1410474194 (hardcover)"	Credit
9781410497826 (hardcover : large print);"1410497828 (hardcover : large print)"	Recycle
9781410493583 (hardcover);"141049358X (hardcover)"	Recycle
9781410453969 (hardcover : lg. print);"1410453960 (hardcover : lg. print)"	Recycle
9781410471598 (hardcover);"1410471594 (hardcover)"	Credit
9780804194815 :;"0804194815 :"	Recycle
9781410461995 (hardcover);"1410461998 (hardcover)"	Recycle
9780062442116;"0062442112"	Recycle
9781410437662 (hardcover);"1410437663 (hardcover)"	Recycle
9781413323672;	Recycle
9781413327748;	Credit
9781506234540;	Credit
9781475853964;	Credit
9781413326130;	Recycle
9780794848910;	Credit
9781640973695;	Credit
9780063267466;	Credit
9781538748367;	Credit
9781413320343;	Recycle
9781413327687;	Credit
9780738763934;	Credit
9781413328844;	Credit

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ISBN	Status
9781413328820;	Credit
9781413326376;	Recycle
9781506286365;	Credit
9781506279336;	Credit
9781506281162;	Credit
9781506281148;	Credit
9781640973442;	Recycle
9780241360095;	Credit
9781506264578;	Credit
9781603605977;	Credit
9781640972766;	Credit
9781640973541;	Credit
9780241360088;	Credit
9781640972964;	Credit
9780894876110;	Recycle
9780894876103;	Recycle
9781119886822;	Credit
9780794848965;	Credit
9781506264578;	Credit
9781119886822;	Credit
9780517703915	Credit
9780385545686	Credit
0292707010	Credit
9780393713855	Credit
9780307450760	Credit
9780738210827	Credit
9780864311825	Credit
9781338839845	Recycle
9780316010665	Recycle
9780415884488	Recycle
9781936594184	Recycle
9781433507120	Credit
9780764216442	Credit
9780140195699	Credit
9781890772185	Credit
9780736062787	Credit

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Disposals
Library and Information Services
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ISBN	Status
9781843097044	Recycle
9788172452797	Credit
9789080511323	Credit
0805206108	Credit
9781256092858	Credit
9780060835910	Credit
9780875849089	Recycle
9781877864339	Credit
9780446504133	Credit
9781435125568	Recycle
9781576839546	Credit
9780415808866	Credit
9780325005393	Credit
0395340659	Credit
0395329205	Credit
9780323001663	Recycle
9781562477738	Credit
9780553075502	Recycle
9781405443784	Recycle
9781451648539	Recycle
9780893891558	Credit
9781893005426	Recycle
9780679722878	Credit
9780892817641	Credit
9780892817641	Credit
9781591792819	Credit
9780060750466	Credit
9780486432007	Credit
9781590300732	Credit
0872072908	Recycle
1880656345	Credit
0007133243	Credit
9781935127000	Recycle
9781936764136	Credit
9780325010816	Recycle
9780325008226	Recycle

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Disposals
Library and Information Services
November 16, 2023

ISBN	Status
9780802410849	Recycle
9780062871848	Recycle
9780812998832	Credit
1571104038	Recycle
9781607190509	Recycle
078073165148	Recycle
078073103898	Recycle
9780740746963	Recycle
9602202742	Credit
9781455581092	Credit
9781571103642	Recycle
9780325004358	Recycle
9780812989946	Credit
9781572305144	Credit
9780060928117	Recycle
9780062980731	Credit
9780062457714	Credit
9781717101020	Credit
9780143130512	Recycle
9780882641508	Recycle
9780310492627	Credit
9781631463907	Recycle
9780316427371	Credit
9780875965666	Credit
9781579401573	Recycle
9780718039851	Credit
9781434706867	Credit
9780525652816	Credit
9780307730213	Credit
9780544227736	Credit
9781843108115	Recycle
9780718077488	Credit
9781587676109	Credit
9781970077469	Credit
9781101988473	Credit
0847809048	Credit

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Library and Information Services
November 16, 2023

ISBN	Status
9780760721001	Recycle
9780073534312	Credit
9780979155901	Recycle
9780385031141	Credit
9780751547580	Credit
9780393352603	Credit
0691018537	Credit
9781582880372	Recycle
9780300108095	Credit
9780300106534	Credit
9781586638498	Credit
9781411401013	Credit
9781586638443	Credit
9780684800509	Recycle
09127999730	Recycle
9780761136811	Recycle
9781983964275	Recycle
9780300101058	Recycle
9780300104530	Recycle
9780545200455	Recycle
9780545286862	Recycle
9780991477500	Credit
9780060887322	Recycle
9780486404356	Recycle
9780307346612	Credit
9780764147692	Credit
9781580910460	Credit
9781416570929	Credit
9781984881250	Credit
9780063225930	Credit
9780446670333	Recycle
9781250145291	Credit
9780764551734	Credit
9780062943514	Credit
9781484711088	Recycle
9781584793274	Credit

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Library and Information Services
November 16, 2023

ISBN	Status
9780696226854	Recycle
9780545208789	Recycle
9798351201726	Recycle
9798699584895	Recycle
9780578296371	Credit
9780545242219	Recycle
9780300108071	Credit
9780300115635	Credit
9780385720113	Recycle
9780553593617	Recycle
9781893910249	Recycle
9780891454373	Recycle
9781740593663	Recycle
9780385670012	Credit
9780156212502	Credit
9780142423622	Credit
9783833111297	Credit
9783829029018	Credit
9780991477524	Recycle
9780807010297	Credit
9780060848354	Credit
9781957288543	Credit
9780674258488	Credit
9780812971828	Credit
9781250147608	Credit
9781982117351	Credit
9781800328570	Credit
9780374148362	Recycle
9781865035116	Recycle
9780316406604	Credit
9780393325171	Recycle
9781501194115	Credit
9780425208137	Credit
9781982123703	Credit
9781643138992	Credit
9780385324083	Credit

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Library and Information Services
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ISBN	Status
025328029X	Credit
0030456819	Recycle
0023150203	Recycle
9780850527858	Credit
0253201616	Recycle
0817970827	Credit
0385149379	Recycle
9780807014547	Credit
9780735280724	Credit
9781592286324	Credit
9781603761864	Recycle
9781445603827	Credit
9780891411482	Credit
9780786887804	Credit
9780312426217	Credit
9780804722155	Credit
9780312316334	Recycle
9780974740379	Recycle
9780971897502	Recycle
9780671747336	Recycle
9780966675320	Recycle
0521297931	Credit
9780751573763	Credit
9780767901840	Recycle
9780757318924	Recycle
9780758204530	Recycle
9781416560098	Recycle
9780830752386	Recycle
9781594868542	Recycle
9781529100419	Recycle
9780886778699	Recycle
037145005997	Recycle
9780849943270	Recycle
9780758203182	Recycle
9789683904430	Recycle
9780849912986	Recycle

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Library and Information Services
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ISBN	Status
9780849910999	Recycle
9780062250872	Recycle
9781538750148	Recycle
9780743439985	Recycle
9780785815693	Recycle
9780785820239	Recycle
9781250313577	Recycle
9780679741411	Recycle
9781586481490	Credit
9781451696325	Credit
9781936932542	Credit
9780307389800	Credit
9780803258563	Credit
9780767903820	Recycle
9780802135292	Credit
9780978984861	Credit
9780374532901	Recycle
9780063218116	Credit
9781571315519	Credit
9780312422165	Credit
9780811229326	Credit
9780307744425	Credit
9780547479774	Recycle
9780393319057	Credit
9780393334876	Credit
9781561480012	Recycle
9780553447453	Credit
9780735225312	Credit
9781501154867	Credit
9780820331539	Credit
9781119038597	Credit
9781250231260	Credit
9781595340542	Credit
9781324005681	Credit
9781524763138	Recycle
9781594486296	Credit

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Disposals
Library and Information Services
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ISBN	Status
9780425190142	Recycle
9781101903766	Recycle
9780593229897	Credit
9780804137256	Recycle
9780525559474	Credit
9781598422412	Recycle
9781566190114	Recycle
9781982148034	Recycle
9780385354042	Recycle
9781620407813	Credit
9781401301064	Recycle
9781501175510	Recycle
9781400064991	Credit
9780316365215	Credit
9780399588372	Recycle
9781545442661	Credit
9781728248912	Credit
9780692492499	Recycle
9781538756591	Credit
9781551090887	Credit
9781451667257	Credit
9781681376639	Credit
9781632864130	Credit
9780060837020	Credit
9781250093431	Credit
9780143121169	Credit
9781950691913	Credit
9780062913517	Credit
9780975588154	Credit
9780804172721	Credit
9781580088046	Credit
9780063030930	Credit
9782951346185	Credit
9780914955818	Credit
9780945465652	Credit
9780375727122	Recycle

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Disposals
Library and Information Services
November 16, 2023

ISBN	Status
9780804138062	Credit
9781402181962	Recycle
9781500986193	Credit
9780142181270	Credit
9781577311775	Recycle
9781982170820	Credit
9781501174193	Credit
9780961735791	Credit
9780199350803	Credit
9780446517980	Recycle
9780525510543	Credit
9781501167836	Recycle
9781571313034	Credit
9780385525244	Recycle
0786048883 (paperback);"9780786048885 (paperback)"	Discard
9781419741197	Discard
9780763655983;"0763655988"	Discard
9781442445963;"1442445963";"9781442445970"	Discard
9781684056675 (paperback);"1684056675 (paperback)";"9781725471290 (FollettBound)";"1725471299 (FollettBound)"	Discard
9780545852517 (hardback);"9780545852500 (paperback)";"9781338598599 (B&N exclusive edition)";"1338598597 (B&N exclusive edition)";"054585251X (hardback)";"0545852501 (paperback)"	Discard
9781609055776 (hbk.);"1609055772 (hbk.)";"9781609054618 (pbk.)";"160905461X (pbk.)"	Discard
0375828796 (tr. pbk.);"0375814663";"0375914668 (lib. bdg.)";"0375814728 (pbk.)"	Discard
0375814671 (trade hc);"9780375814679 (trade hc)";"0375828788 (pbk.)";"9780375828782 (pbk.)";"0375914676 (lib. bdg.)";"9780375914676 (lib. bdg.)"	Discard
0062423835 (paperback);"9780062423832 (paperback)"	Discard
9780399562969 (hardcover);"0399562966 (hardcover)";"40031215661"	Discard
9780312387648 (hbk.);"0312387644 (hbk.)"	Discard
9780340945292 (pbk.);"034094529X (pbk.)"	Discard
9780385548922 (hardcover);"0385548923 (hardcover)"	Discard
1552-1818 1552-1818 1	Discard
1550-7114 1550-7114 1	Discard
9781413313215 (pbk.);"1413313213 (pbk.)"	Discard
9781783122905 (paperback);"1783122900 (paperback)"	Discard

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ISBN	Status
9781426372315 (lib. bdg.);"1426372310 (lib. bdg.)";"9781426372308 (hardcover)";"1426372302 (hardcover)"	Discard
9781877467905 (hbk.);"1877467901 (hbk.)";"9781877579066 (lib. bdg.)";"1877579068 (lib. bdg.)"	Discard
9798885787505 (large print hardback)	Discard
	Discard
9780805093391 (hardback);"0805093397 (hardback)"	Discard
	Discard
0395919029 (hardcover);"9780395919026 (hardcover)";"039591907X (pbk.)";"9780395919071 (pbk.)";"0395923360";"9780395923368";"0618175385";"9780618175383";"9780756921095 (PFNL)";"0756921090 (PFNL)";"0613114566";"9780613114561";"9781599614168";"1599614162";"9781442002326";"1442002328"	Discard
9780439376099;"0439376106";"9780439376105";"9780439977364";"0439376092";"9781338271492";"9780545385756"	Discard
9781878424310;"9781878424501";"1878424505"	Discard
9780694014224	Discard
9780803740099 (hbk. : v. 2);"0803740093 (hbk. : v. 2)";"9780803740075 (hbk. : v. 1)";"0803740077 (hbk. : v. 1)";"9780525428114 (hbk. : v. 3)";"0525428119 (hbk. : v. 3)";"9780525428121 (hbk. : v. 4)";"0525428127 (hbk. : v. 4)"	Discard
9780679863748;"0679863745";"0590988255";"9781338224894"	Discard
9781250219954 (hardcover v. 1);"1250219957 (hardcover v. 1)";"9781250219985 (hardcover v. 2)";"1250219981 (hardcover v. 2)";"9781250220004 (hardcover v. 3)";"9781250220059 (hardcover v. 4)";"9781250220066 (hardcover v. 5)";"9781250849885 (hardcover v. 6)"	Discard
9780399158087;"0399158081"	Discard
1400144892;"9781400114894";"1400114896";"9781400144891"	Discard
1438001657 (paperback);"9781438001654"	Discard
9781465491589 (paperback);"1465491589 (paperback)"	Discard
9780811216838 (pbk. : alk. paper);"0811216837 (pbk. : alk. paper)"	Discard
9780744060966 (hardcover);"0744060966 (hardcover)"	Discard
602341018425;"60234101842 Reunion Records";"02341-0184-2 Beach Street/Reunion"	Discard
9780670011742	Discard
9780374304003	Discard
9781948931090	Discard
9781442405981 (hardcover);"1442405988 (hardcover)"	Discard
9781416924401;"141692440X"	Discard

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ISBN	Status
1423168062 (hbk.);"9781423168065 (hbk.)"	Discard
9781338122510 (pbk. alk. paper);"1338122517 (pbk. alk. paper)";"9781338122527 (hardcover alk. paper)";"1338122525 (hardcover alk. paper)"	Discard
9781442493285 (hardcover : alk. paper);"1442493283 (hardcover : alk. paper)"	Discard
9781454945666;"1402726015";"9781402726019"	Discard
9780545828833;"0590568922 (pbk.)";"9780590568920 (pbk.)";"0439796199 (pbk.)";"9780439796194 (pbk.)";"1415649030 (BWI bdg.)";"9781415649039 (BWI bdg.)";"0606111425 (Turtleback ed.)";"9780606111423 (Turtleback ed.)"	Discard
9780553533521 (pb);"0553533525 (pb)";"9780553533538 (glb)";"0553533533 (glb)"	Discard
9781440345166 (paperback);"1440345163 (paperback)"	Discard
9780811849104;"9780811856836";"9780811862509";"0811856836"	Discard
9781407595085;"1407595083";"9781407595061";"1407595067"	Discard
1627790179;"9781627790178"	Discard
9781626722569 (hardback);"1626722560 (hardback)"	Discard
883929420391;"1000497402 Warner Bros."	Discard
9781465461179 (hardcover);"1465461175 (hardcover)";"9780241232545";"0241232546"	Discard
9781608685196 (print : alk. paper);"1608685195"	Discard
9781663959065 (hardcover);"9781666328356 (paperback)";"1663959064 (hardcover)";"1666328359 (paperback)"	Discard
0385302312;"9780385335973";"0440215625"	Discard
9781423102977 (alk. paper);"1423102975 (alk. paper)"	Discard
9780142408889 (pbk.);"0142408883 (pbk.)";"9781417786220 (lib. bdg.)";"1417786221 (lib. bdg.)"	Discard
9781684056170 (Volume 5);"9781684053278 (Volume 1)";"1684053277 (Volume 1)";"9781684054060 (Volume 2)";"1684054060 (Volume 2)";"9781684054985 (Volume 3)";"9781684055449 (Volume 4)";"9781684056729 (Volume 6)";"9781684057221 (Volume 7)";"9781684057887 (Volume 8)";"9781684057627 (Volume 9)";"9781684058518 (Volume 10)";"9781684059089 (Volume 11)";"9781684059300 (Volume 12)";"9781684059539 (Volume 13)"	Discard
9781338214604 (hardcover);"1338214608 (hardcover)"	Discard
9780060843588 (trade bdg.);"0060843586 (trade bdg.)";"9780060843595 (lib. bdg.)";"0060843594 (lib. bdg.)"	Discard
9780743496759 (pbk.);"0743496752 (pbk.)";"9780743496742";"0743496744";"9781416570820 (export pbk. ed.)";"1416570829 (export pbk. ed.)"	Discard
9781416979616 (hbk.);"1416979611 (hbk.)"	Discard
0060759046;"9780060759049"	Discard

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ISBN	Status
9781515916284;"9781515916284";"DD29658 Recorded Books"	Discard
0375831975 (40th ed.);"0375815260 (trade)";"9780375815263 (trade)";"0375915265 (lib. bdg.)";"0141301155";"9780142410318"	Discard
9780316057806;"0316057800";"9780316036733"	Discard
9780307341556 (pbk.);"0307341550 (pbk.)"	Discard
9781402253041 (pbk.);"1402253044 (pbk.)"	Discard
9781455550678;"1455550671"	Discard
9780316485647 hc.;"0316485640 hc."	Discard
9781524787202 (hardcover);"1524787205 (hardcover)"	Discard
9780743264730;"0743264738"	Discard
9780756697938;"075669793X"	Discard
9780760346891 (hbk.);"0760346895 (hbk.)"	Discard
9781951836092 (hardcover);"195183609X (hardcover)"	Discard
9781666340754 (hardcover);"1666340758 (hardcover)";"9781666340792 (paperback)";"1666340790 (paperback)";"1666340774";"9781666340778 (hardcover)"	Discard
031398335429;"60373 A & E Television Networks"	Discard
0783285094;"025192297229";"22972 Universal Studios"	Discard
9780670011681	Discard
9780753473719	Discard
9781611733754 (library binding : alk. paper);"1611733758 (library binding : alk. paper)"	Discard
9781439161012;"1439161011"	Discard
9780345503817 (alk. paper);"0345503813 (alk. paper)"	Discard
9781598951776;"9781598951776";"1091 Playaway"	Discard
9781666583267;"9781666583267"	Discard
1596436549;"9781596436541"	Discard
9781419705847;"1419705849";"9781419707292"	Discard
9781596436954 (v. 1);"9781596434462 (pbk. : v. 1)";"1596434465 (pbk. : v. 1)";"1596436956 (v. 1)";"9781596434479 (v. 2)";"9781596438064 (v. 2)";"9781626720589 (v. 3)"	Discard
9780807555996	Discard
9780062304254;"0062304259"	Discard
078681988X (hardcover);"9780786819881 (hardcover)";"144874301X (PawPrints)";"9781448743018 (PawPrints)";"9780780457287 (PermaBound)";"0780457285 (PermaBound)";"0329374478";"9780329374471";"1413162673";"9781413162677";"9780439701808 (paperback)";"0439701805 (paperback)";"9781844280131 (hardcover Walker 2004)";"1844280136 (hardcover Walker 2004)";"1844285138 (paperback	Discard

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ISBN	Status
Walker 2004)";"9781844285136 (paperback Walker 2004)";"9780439686174";"0439686172"	
9781879085756;"083681553X (lib. bdg.)"	Discard
9780762490516 (flexibound);"0762490519 (flexibound)"	Discard
1402703856;"9781402703850"	Discard
9781421595795 (hardcover) :;"1421595796 (hardcover)"	Discard
1465424458;"9781465424457"	Discard
9781633228160;"9781939581143 (hbk.)";"1939581141 (hbk.)"	Discard
9780545582926 (pbk.);"054558292X (pbk.)";"0439064864"	Discard
0024-9319 1	Discard
9781585039555 (paperback);"1585039551 (paperback)"	Discard
9781432939342 (hc);"1432939343 (hc)";"9781432939410 (pb)";"1432939416 (pb)"	Discard
0807218707 :;"9780807218709";"YA 432A Imagination Studio"	Discard
9781598287752;"054961877591";"AMP-8775 Acorn Media"	Discard
9781467793629 (lb alk. paper);"1467793620 (lb alk. paper)";"9781467795937 (pb alk. paper)";"1467795933 (pb alk. paper)"	Discard
9780690013597;"9781442072176";"9780061253706";"0690046359";"9780061227288";"0590132008";"0064401847"	Discard
9788415732037 (pbk.);"8415732031 (pbk.)"	Discard
9781419705847;"1419705849";"9781419707292"	Discard
8430620575;"9788430620579"	Discard
1934-8363 1934-8363 1	Discard
9780061229718 (trade bdg.);"0061229717 (trade bdg.)";"9780061229725 (lib. bdg.)";"0061229725 (lib. bdg.)"	Discard
9781302945060 (paperback);"1302945068 (paperback)"	Discard
0141439742;"9781593082062"	Discard
9780545694704;"9780439049962 (pbk.)";"0439049954";"9780439049955";"0439049962 (pbk.)";"9780545073028";"0545073022";"9780545385688"	Discard
1948-139X	Discard
1484713524;"9781484713525"	Discard
9780062945853 (hardcover);"0062945858 (hardcover)";"9780062945846 (pbk.)";"006294584X (pbk.)"	Discard
9781501139239 (hardcover alk. paper);"1501139231 (hardcover alk. paper)";"9781501161933 (trade pbk. alk. paper)";"1501161938 (trade pbk. alk. paper)"	Discard
5099951034795;"509995 10347 95 Capitol Records/Apple (set)";"5099951034894 Capitol Records/Apple";"5099951034993 Capitol Records/Apple"	Discard
300921-2 ABC Music	Discard
9780794541057	Discard

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Disposals
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November 16, 2023

ISBN	Status
9780679863748;"0679863745";"0590988255";"9781338224894"	Discard
9780544174221;"0395177111";"9780395177112";"0395071224";"9780395071229";"039 5282659 (pbk.)";"9780395282656 (pbk.)"	Discard
9780794518042	Discard
9781594749582	Discard
9781423199571;"142319957X";"9781480658530 (Paw Prints)";"1480658537 (Paw Prints)"	Discard
9780761365679 (lib. bdg. : alk. paper);"0761365672 (lib. bdg. : alk. paper)"	Discard
9781368051446 (paperback);"1368051448 (paperback)"	Discard
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9780544838291 (hardcover);"0544838297 (hardcover)"	Discard
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0545016282;"9780545016285"	Discard
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9781442436145;"144243614X"	Discard
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9781602853898 (lib. bdg. : alk. paper);"1602853894 (lib. bdg. : alk. paper)"	Discard
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9780385384902;"0385384904"	Discard
9780062250247 (trade ed.);"0062250248 (trade ed.)"	Discard
9780531209097 (library binding);"0531209091 (library binding)";"9780531210840 (pbk.)";"0531210847 (pbk.)";"9780329917319 (Follettbound)";"0329917315 (Follettbound)"	Discard
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9788420412146 hardback;"8420412147 hardback";"9780307475411"	Discard
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068981173X;"9780590040655"	Discard
9780762444335 (pbk.);"0762444339 (pbk.)"	Discard
9780545663182 (paper over board);"0545663180 (paper over board)"	Discard
081227934668;"560492 Elektra Catalog Group"	Discard
602517834866;"B0011977-02 Universal Motown"	Discard
9780805081282 (hc : alk. paper);"0805081283 (hc : alk. paper)"	Discard
0670012327 (hbk.);"9780670012329 (hbk.)"	Discard
9780805073157 (hc : alk. paper);"0805073159 (hc : alk. paper)"	Discard
9781368057158;"1368057152"	Discard
9780736442442 (trade);"0736442448 (trade)"	Discard
590962736	Discard
9780763696054;"0763696056";"9781338358759"	Discard
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9780385344340 (hardback);"0385344341 (hardback)"	Discard
9781421537245 (v. 10 : pbk.);"9781421523354 (v. 9 : pbk.)";"9781421523347 (v. 8 : pbk.)";"9781421523330 (v. 7 : pbk.)";"9781421523323 (v. 6 : pbk.)";"9781421523316 (v. 5 : pbk.)";"9781421523309 (v. 4 : pbk.)";"9781421523293 (v. 3 : pbk.)";"9781421523286 (v. 2 : pbk.)";"9781421523279 (v. 1 : pbk.)";"1421523272 (v. 1 : pbk.)";"1421523280 (v. 2 : pbk.)";"1421523299 (v. 3 : pbk.)";"1421523302 (v. 4 : pbk.)";"1421523329 (v. 6 : pbk.)";"1421523337 (v. 7 : pbk.)";"1421523345 (v. 8 : pbk.)";"1421523353 (v. 9 : pbk.)";"1421537249 (v. 10 : pbk.)"	Discard
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(v. 4)";"9781612620411 (v. 5)";"9781612620428 (v. 6)";"9781612620435 (v. 7)";"9781612620442 (v. 8)";"9781612620459 (v. 9)";"9781612620466 (v. 10)";"9781612620473 (v. 11)"	
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9781451626858;"1451626851";"9781451626865 (pbk.)";"145162686X (pbk.)"	Discard
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9780764219917 (large print paperback);"076421991X (large print paperback)"	Discard
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9780385378666 (hardcover);"0385378661 (hardcover)";"9780375973345 (hardcover library binding)";"0375973346 (hardcover library binding)"	Discard
9788417123116;"8417123113"	Discard
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Bound)";"9781596434325 (v. 2 pbk.)";"1596434325 (v. 2 pbk.)";"9781596436497 (v. 2 hbk.)";"1596436492 (v. 2 hbk.)";"9781596434332 (v. 3 pbk.)";"1596434333 (v. 3 pbk.)";"9781596437241 (v. 3 hc)";"1596437243 (v. 3 hc)";"9781596434349 (v. 4 pbk.)";"1596434341 (v. 4 pbk.)";"9781596437616 (v. 4 hbk.)";"1596437618 (v. 4 hbk.)";"9781596437388 (v. 5 pbk.)";"1596437383 (v. 5 pbk.)";"9781596438286 (v. 5 hbk.)";"1596438282 (v. 5 hbk.)";"9781596439474 (v. 6 hbk.)";"1596439475 (v. 6 hbk.)";"9781596437395 (v. 6 pbk.)";"1596437391 (v. 6 pbk.)";"9781626720145 (v. 7 hbk.)";"1626720142 (v. 7 hbk.)";"9781626720169 (v. 8 hardcover)";"1626720169 (v. 8 hardcover)";"9781626720152 (v. 8 trade pbk.)";"1626720150 (v. 8 trade pbk.)";"9781626725218 (v. 9 : hardcover)";"1626725217 (v. 9 : hardcover)";"9781626725225 (v. 9 : paperback)";"1626725225 (v. 9 : paperback)";"9781626725256 (v. 10 : paperback)";"9781626725287 (v. 11 : paperback)";"9781626725317 (v. 12 : paperback)"	
9780545086615 (hardcover);"0545086612 (hardcover)";"0545086620 (pbk.)";"9780545086622 (pbk.)"	Discard
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9780061834776 (pbk.);"0061834777 (pbk.)"	Discard
1415705437;"9781415705438";"097368866546";"88665 Paramount"	Discard
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9781492618812 (alk. paper);"1492618810 (alk. paper)"	Discard
9780060744526;"9780060744533 (lib. bdg.)";"9780060744540 (pbk.)"	Discard
9780785185314 (v. 4);"9780785183907 (v. 3)";"9780785165637 (v. 2)";"0785165630 (v. 2)";"0785165622 (v. 1)";"9780785165620 (v. 1)"	Discard
9780375826689;"0375826688";"0375826696";"044023848X"	Discard
9780385386173 (v. 1 : hardcover);"0385386176 (v. 1 : hardcover)";"9780385386234 (v. 2 : hardcover)";"9780385386203 (v. 3 : hardcover)";"9781524714932 (v. 4 : hardcover)";"9781524714963 (v. 5 : hardcover)";"9780525644064 (v. 6 : hardcover)";"9780593379660 (v. 8 : hardcover)";"9780593488096 (v. 9 : hardcover)"	Discard
9780800726645 (pbk. : alk. paper);"0800726642 (pbk. : alk. paper)";"9780800735562 (hardcover)";"0800735560 (hardcover)"	Discard
9781684055173 (v. 1 paperback);"1684055172 (v. 1 paperback)";"9781544442327 (v. 1 FollettBound)";"1544442327 (v. 1 FollettBound)";"9781684055234 (v. 2 paperback)"	Discard
9781302910341 (paperback);"1302910345 (paperback)"	Discard
9780823006595 (hbk);"082300659X (hbk)"	Discard
0525577866 (hardcover);"9780525577867 (hardcover)"	Discard
9780803733657 (hardcover);"9780142420669";"0142420662";"0803733658 (hardcover)"	Discard
9780758228895 (pbk.);"0758228899 (pbk.)"	Discard
9781419736339 (hbk.);"1419736337"	Discard
9780446573108 (hbk.);"0446573108 (hbk.)"	Discard

Exhibit A

Disposals
Library and Information Services
November 16, 2023

ISBN	Status
9781982182199 hc.;"1982182199 hc."	Discard
9780802159069 (hardcover);"0802159060 (hardcover)"	Discard
9781469214061;"1469214067"	Discard
0316741329 :	Discard
9781486708031;"148670803X"	Discard
9781982164881 (hardcover);"1982164883"	Discard
1524716588 (library binding);"9781524716585 (library binding)";"152471657X (paperback)";"9781524716578 (paperback)"	Discard
425189864	Discard
9789681657581;"9681657586"	Discard
9781423133384;"1423133382"	Discard
0739407015 (hbk.)	Discard
9781604696707 hardcover;"1604696702 hardcover"	Discard
006008068X;"9780060080686";"0060080701 (lib. bdg.)";"9780060080709 (lib. bdg.)"	Discard
9781501129742 (hardback);"1501129740 (hardback)";"9781501134142 (paperback)";"1501134140 (paperback)";"9781501134135"	Discard
9781101918715 (paperback volume 1);"1101918713 (paperback volume 1)";"9781101918265 (v. 1)";"1101918268 (v. 1)";"9781101918296 (v. 2)";"9781338282726 (v. 2)";"9780735262454 (v. 3)";"9781338314540 (v. 3)";"9780735262485 (v. 4)";"9780735262515 (v. 5)";"9780735262546 (v. 6)";"9780735266728 (v. 7)";"9780735266742 (v. 8)"	Discard
9780061979248 (pbk.);"0061979244"	Discard
9781426336966	Discard
9780593378724	Discard
9780763636548;"0763636541"	Discard
9780008120719 (paperback);"0008120714 (paperback)"	Discard
039914210X (acid-free paper)	Discard
9781601253361;"1601253362"	Discard
9780061555220;"0061555223";"9780061555268"	Discard
9780805089035 (hc : alk. paper);"0805089039 (hc : alk. paper)"	Discard
9781419757044	Discard
9781641701433	Discard
9781518203152;"9780061555091 (trade bdg.)";"0061555096 (trade bdg.)";"9780061555107 (lib. bdg.)";"006155510X (lib. bdg.)";"9780061555114 (pbk.)";"0061555118 (pbk.)";"9781451708585";"1451708580"	Discard
1416563725;"9781416563723"	Discard
671787764	Discard

Exhibit A

Disposals
Library and Information Services
November 16, 2023

ISBN	Status
0790748088;"9780790748085";"085391524328";"15243 Warner Home Video"	Discard
9780385545686 (hardcover);"0385545681 (hardcover)"	Discard
1481495631;"9781481495639";"9781481495622 (paperback)";"1481495623 (paperback)"	Discard
9781614794592 (volume 1);"1614794596 (volume 1)";"9781614794608 (volume 2)";"161479460X (volume 2)";"9781613779620 (volume 2 pbk.)";"9781614794615 (volume 3)";"1614794618 (volume 3)";"9781631401121 (volume 3 pbk.)";"9781614794622 (volume 4)";"1614794626 (volume 4)"	Discard
2168-6718 1089-831X 1	Discard
1545-0961 1545-0961 1089-9898 1	Discard
1544-2330	Discard
1544-2330	Discard
1545-0961 1545-0961 1089-9898 1	Discard
1541-5066 1541-5066 0894-9328 1	Discard
2168-6718 1089-831X 1	Discard
856863001001	Discard
9781451686579 (hbk.);"1451686579 (hbk.)"	Discard
9780316452441 (hardcover);"0316452440 (hardcover)"	Discard
9781781109816;"9781781109816";"40192 Findaway World"	Discard
9780063269262 (paperback);"0063269260 (paperback)"	Discard
9781250751430 (lib. bdg.);"1250751438 (lib. bdg.)"	Discard
9780312986766;"0312986769";"0312288476"	Discard
9781484799673 (hardcover);"1484799674 (hardcover)"	Discard
0788734520;"C1058 Recorded Books"	Discard
9780241392409	Discard
9781419702235 (hardback);"1419702238 (hardback)";"1419702963 (pbk.)";"9781419702969 (pbk.)";"1451737416 (Paw Prints bdg.)";"9781451737417 (Paw Prints bdg.)"	Discard
9781439856185 (pbk.);"1439856184 (pbk.)"	Discard
9780544652262;"0544652266"	Discard
015216779X;"9780152167790"	Discard
9780545581608 (v. 1);"0545581605 (v. 1)";"9780545935203 (v. 2)";"9780545935210 (v. 3)";"9781338611991 (v. 3)";"9780545935180 (v. 4)";"9780545935173 (v. 5)";"9781338236576 (v. 6)";"9781338236590 (v. 7)";"9781338323214 (v. 8)";"9781338535624 (v. 9)";"9781338680454 (v. 10)";"9781338801910 (v. 11)"	Discard
031233589X;"9780312335892"	Discard
9781335836625 (hardcover);"1335836624 (hardcover)"	Discard

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November 16, 2023

ISBN	Status
9780812967968;"1400060184 (acid-free paper)"	Discard
0316693324;"0446676438";"9780446676434";"0446607657"	Discard
9780446553940 (large print);"0446553948 (large print)"	Discard
075660835X (pbk.);"9780756608354 (pbk.)";"0756608325 (plc)";"9780756608323 (plc)"	Discard
786936853933;"14486100 Disney"	Discard
078887912X;"786936739312";"54798 Walt Disney Home Entertainment"	Discard
9780738773827 (pbk.);"0738773824 (pbk.)"	Discard
9781335006356 (hardcover);"1335006354 (hardcover)"	Discard
9781452150284	Discard
9781368043113;"1368043119"	Discard
9781684460373 (hardcover);"1684460379 (hardcover)"	Discard
9781536204469 (hbk.);"1536204463 (hbk.)"	Discard
9788418933097	Discard
9788424665548;"8424665546"	Discard
9780385733069 (trade);"0385733062 (trade)";"9780385903257 (glb)";"0385903251 (glb)"	Discard
160684069X (reinforced library binding);"9781606840535 (hardcover)";"1606840533 (hardcover)";"9781606840696 (reinforced library binding)";"9780545285278"	Discard
067988663X (pbk.);"9780679886631 (pbk.)";"0679986634 (lib. bdg.)";"9780679986638 (lib. bdg.)";"037580773X (pbk.)";"9780375807732 (pbk.)";"0613052927 (Econo-clad)";"9780613052924 (Econo-clad)";"078077647X (PFNL)";"9780780776470 (PFNL)";"1439588473 (Paw Prints)";"9781439588475 (Paw Prints)";"9781484412046 (library binding)";"1484412044 (library binding)";"9780590639170"	Discard
9780439050005;"0439049997";"0439050006"	Discard
9780545581608 (v. 1);"0545581605 (v. 1)";"9780545935203 (v. 2)";"9780545935210 (v. 3)";"9781338611991 (v. 3)";"9780545935180 (v. 4)";"9780545935173 (v. 5)";"9781338236576 (v. 6)";"9781338236590 (v. 7)";"9781338323214 (v. 8)";"9781338535624 (v. 9)";"9781338680454 (v. 10)";"9781338801910 (v. 11)"	Discard
9781632369215 (v. 37);"9781612629216 (v. : 1)";"1612629210 (v. : 1)";"9781612629230 (v. : 2)";"1612629237 (v. : 2)";"9781612629254 (v. : 3)";"1612629253 (v. : 3)";"9781612628295 (v. : 8)";"9781612628301 (v. 9)";"9781612628318 (v. 10)";"9781632361172 (v. 11)";"9781632361295 (v. 12)";"9781632362162 (v. 13)";"9781632362179 (v. 14)";"9781632362704 (v. 15)";"9781632362926 (v. 16)";"9781632362933 (v. 17)";"9781632363480 (v. 18)";"9781632363497 (v. 19)";"9781632363503 (v. 20)";"9781632364425 (v. 21)";"9781632365132 (v. 22)";"9781632365149 (v. 23)";"9781632365668 (v. 24)";"9781632365675 (v. 25)";"9781632365682 (v. 26)";"9781632366283 (v. 27)";"9781632366818 (v. 28)";"9781632366825 (v. 29)";"9781632367419 (v. 30)";"9781632367310 (v. 31)";"9781632367327 (v. 32)";"9781632367976 (v. 33)";"9781632368720 (v.	Discard

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Disposals
Library and Information Services
November 16, 2023

ISBN	Status
34)";"9781632368737 (v. 35)";"9781632368744 (v. 36)";"9781632369222 (v. 38)";"9781646510030 (v. 39)";"9781646510658 (v. 40)";"9781646510665 (v. 41)"	
9780763690779 (trade);"0763690775 (trade)"	Discard
9781984806468 (paperback);"1984806467 (paperback)"	Discard
9780593329375 hardcover;"0593329376 hardcover";"40031299576"	Discard
0038-4305 0038-4305 1	Discard
9780142004333;"1569473307 (alk. paper)"	Discard
0439524717 (pbk.);"9780439524711 (pbk.)";"9780605319066 (Permabound)";"0605319065 (Permabound)";"9781404673656";"1404673652";"9781338046670";"1338046675";"978 1442008854";"1442008857"	Discard
9780312577230 (hardcover);"0312577230 (hardcover)"	Discard
9780545581608 (v. 1);"0545581605 (v. 1)";"9780545935203 (v. 2)";"9780545935210 (v. 3)";"9781338611991 (v. 3)";"9780545935180 (v. 4)";"9780545935173 (v. 5)";"9781338236576 (v. 6)";"9781338236590 (v. 7)";"9781338323214 (v. 8)";"9781338535624 (v. 9)";"9781338680454 (v. 10)";"9781338801910 (v. 11)"	Discard
9780545331524 (pbk.);"0545331528 (pbk.)";"9781451748055 (Paw Prints)";"1451748051 (Paw Prints)"	Discard
24543793328	Discard
9780590502078	Discard
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8007068220526	Discard
8007144601713	Discard
8007144603977	Discard
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096741401626	Discard

Total Value: $287.14

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R137

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Fire and Rescue

SUBJECT:
R137, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) to Purchase and Equip Vehicles for the Fire Marshal's Office

BACKGROUND AND ANALYSIS:
As part of its 2023 regular session, the NM Legislature appropriated $165,000 (23-H3172) to purchase and equip vehicles for the Fire Marshal's Office.

Funding to purchase and equip vehicles for the Fire Marshal's Office was included in the Governing Body's 2023 Capital Outlay Funding Priority Resolution.

These funds will be used to purchase three medium-duty 4x4 trucks. Additionally, the vehicles will be equipped to conduct investigations, inspections, and special events for the Fire Marshal's Office.

IMPACT:
The proposed Resolution will create the budget and line items necessary to implement the grant awarded by the State.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE STATE APPROPRIATIONS CAPITAL FUND (315) TO PURCHASE AND EQUIP VEHICLES FOR THE FIRE MARSHAL'S OFFICE

WHEREAS: the State of New Mexico, Department of Finance and Administration has awarded the Fire & Rescue Department $165,000 (23-H3172) in grant funds to purchase and equip vehicles for the Fire Marshal's Office; and

WHEREAS: a budget adjustment is necessary to expend the grant funds as intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

State Appropriations Capital Fund (315)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-334.50-00 State Grants/State Grants	FR2436	$4,344,692	$165,000		$4,509,692
Total Sources		$4,344,692	$165,000		$4,509,692

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-416.70-15 Capital Expenditures/ Vehicles & Heavy Equip.	FR2436	$1,256,714	$165,000		$1,421,714
Total Uses		$1,256,714	$165,000		$1,421,714

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R138

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Library and Information Services

SUBJECT:
R138, Resolution Authorizing a Budget Adjustment to the State Appropriations Capital Fund (315) for the Purchase of a Library Item Sorter

BACKGROUND AND ANALYSIS:

The State of New Mexico Department of Finance and Administration has awarded the Library and Information Services Department $85,000 via Capital Appropriation 23-ZH9292 to purchase a replacement library item sorter.

Funding to replace library item sorter equipment at the Loma Colorado Main Library was included in the Governing Body's 2023 Capital Outlay Funding Priority Resolution.

IMPACT:
A budget adjustment is necessary to expend the grant funds as intended.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE STATE APPROPRIATIONS CAPITAL FUND (315) FOR THE PURCHASE OF A LIBRARY ITEM SORTER

WHEREAS: the State of New Mexico Department of Finance and Administration has awarded the Library and Information Services Department $85,000 via Capital Appropriation 23-ZH9292 to purchase a library item sorter.

WHEREAS: a budget adjustment is necessary to expend the grant funds as intended.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

State Appropriations Capital Fund (315)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-334.50-00 State Grants/State Grants	LB2405	$5,404,352	$85,000		$5,489,352
Total Sources		$5,404,352	$85,000		$5,489,352

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-416.70-25 Capital/Major Furniture and Equipment	LB2405	$132,660	$85,000		$217,660
Total Uses		$132,660	$85,000		$217,660

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R139

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Police Department

SUBJECT:
R139, Resolution Authorizing the Disposal of City Property Located at the Sandoval County Regional Emergency Communications Center

BACKGROUND AND ANALYSIS:
The Sandoval County Regional Emergency Communications Center, located at 500 Quantum Road, has two office desks and one shredder that have broken parts making them unusable.

The items are currently stored at the communications center, which is not optimal. Staff seeks to safely remove and properly dispose of or recycle the items.

An estimated value of the items is less than $2,500. The disposal of personal property is governed by Section 3-54-2, NMSA 1978 requiring the Governing Body approval for property that does not exceed $2.500.

IMPACT:
Approval of the Resolution will enable the City to dispose of unusable and/or hazardous items.

ALTERNATIVES:
Approve the Resolution

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution

ATTACHMENT: Resolution
ATTACHMENT: Exhibit

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING THE DISPOSAL OF CITY PROPERTY LOCATED AT THE SANDOVAL COUNTY REGIONAL EMERGENCY COMMUNICATIONS CENTER

WHEREAS: the Sandoval County Regional Emergency Communications Center, located at 500 Quantum Road, has two office desks and one shredder that have broken parts making them unusable; and

WHEREAS: the items are currently stored at the communications center, which is not optimal; and

WHEREAS: staff desire to safely remove and properly dispose of or recycle the items; and

WHEREAS: the disposal of personal property is governed by Section 3-54-2, NMSA 1978 requiring the Governing Body approval for property that does not exceed $2,500.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal authorization is hereby given to properly dispose of Sandoval County Regional Emergency Communications Center property as depicted in Exhibit A, attached hereto.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

Exhibit A







CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R140

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Police Department

SUBJECT:
R140, Resolution Authorizing a Budget Adjustment to the Sandoval County Regional Communication Center (280) Fund

BACKGROUND AND ANALYSIS:
The Sandoval County Regional Emergency Communications Center (SCRECC) requires a fund transfer to account for the costs associated with the migration of records management system data and installation associated with utilizing new software.

IMPACT:
Within Special Fund 280, funds will be moved from the ending fund balance to the major furniture and equipment line item to account for project costs.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE SANDOVAL COUNTY REGIONAL COMMUNICATION CENTER FUND (280)

WHEREAS: the Sandoval County Regional Emergency Communications Center (SCRECC) requires a fund transfer to account for the costs associated with the migration of records management system data and installation associated with utilizing new software; and

WHEREAS: a budget adjustment is necessary to expend the funds as intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

Regional Emergency Communications Center Fund (280)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
280-0000-421.70-25 Major Furniture & Equipment	PS1864	$0	$75,314		$75,314
280-0000-421.90-04 Ending Fund balance / Reserve - Capital		$2,068,881		$75,314	$1,993,567
Total Uses		$2,068,881	$75,314	$75,314	$2,068,881

ADOPTED THIS _____DAY OF _____2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R141

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Fire and Rescue

SUBJECT:
R141, Resolution Authorizing a Budget Adjustment to the State Appropriation Capital Fund (315) to Purchase and Equip an Ambulance

BACKGROUND AND ANALYSIS:
As part of its 2023 regular session, the NM Legislature appropriated $350,000 (23-H3170) to purchase and equip a new ambulance for the Fire & Rescue Department.

Funding to replace and equip and ambulance was included in the Governing Body's 2023 Capital Outlay Funding Priority Resolution.

These funds will be used to purchase a new medium-duty ambulance. Additionally, the ambulance will be equipped with a power gurney and loader, auto CPR device, and cardiac monitor.

IMPACT:
The proposed Resolution will create the budget and line items necessary to implement the grant awarded by the State.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE STATE APPROPRIATIONS CAPITAL FUND (315) TO PURCHASE AND EQUIP AN AMBULANCE

WHEREAS: the State of New Mexico Department of Finance and Administration has awarded the Fire Rescue Department $350,000 Capital Appropriation 23-H3170 to purchase and equip an ambulance; and

WHEREAS: a budget adjustment is necessary to expend the grant funds as intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

State Appropriations Capital Fund (315)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-334.50-00 State Grants	FR2435	$5,404,352	$350,000		$5,754,352
Total Sources		$5,404,352	$350,000		$5,754,352

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-416.70-15 Vehicles & Heavy Equip.	FR2435	$1,256,714	$275,000		$1,531,714
315-0000-416.70-25 Major Furniture and Equipment	FR2435	$132,660	$75,000		$207,660
Total Uses		$1,389,374	$350,000		$1,739,374

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R142

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Fire and Rescue

SUBJECT:
R142, Resolution Authorizing Budget Adjustment to the State Appropriations Capital Fund to Purchase Fire & Rescue Ambulance and Safety Equipment

BACKGROUND AND ANALYSIS:
As part of its 2023 regular session, the NM Legislature appropriated $225,000 (23-H3173) to purchase and equip self-contained breathing apparatus (SCBA) for the Fire & Rescue Department.

Funding to acquire SCBA facemasks/regulators for fire/rescue personnel was included in the Governing Body's 2023 Capital Outlay Funding Priority Resolution.

These funds will be used to purchase new SCBAs and prolong current SCBAs' longevity in rotation.

IMPACT:
The proposed Resolution will create the budget and line items necessary to implement the grant awarded by the State.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE STATE APPROPRIATIONS CAPITAL FUND TO PURCHASE FIRE & RESCUE AMBULANCE AND SAFETY EQUIPMENT

WHEREAS: the State of New Mexico Department of Finance and Administration has awarded the Fire Rescue Department $225,000 Capital Appropriation 23-H3173 to purchase and equip self-contained breathing apparatus (SCBA) equipment; and

WHEREAS: a budget adjustment is necessary to expend the grant funds as intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

State Appropriations Capital Fund (315)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-334.50-00 State Grants/State Grants	FR2437	$5,404,352	$225,000		$5,629,352
Total Sources		$5,404,352	$225,000		$5,629,352

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-416.60-70 Supplies/ Minor Furniture and Equipment	FR2437	$108,858	$68,492		$177,350
315-0000-416.70-25 Capital/Major Furniture and Equipment	FR2437	$132,660	$156,508		$289,168
Total Uses		$241,518	$225,000		$466,518

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R143

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Fire and Rescue

SUBJECT:
R143, Resolution Authorizing a Budget Adjustment to the State Appropriations Capital Fund to Purchase Firefighting Equipment

BACKGROUND AND ANALYSIS:
As part of its 2023 regular session, the NM Legislature appropriated $105,000 to purchase firefighting equipment.

The new equipment will be placed on Fire & Rescue Department vehicles.

IMPACT:
The proposed Resolution will create the budget and line items necessary to implement the grant awarded by the State.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE STATE APPROPRIATIONS TO PURCHASE FIREFIGHTING EQUIPMENT

WHEREAS: the State of New Mexico Department of Finance and Administration has awarded the Fire Rescue Department $105,000 Capital Appropriation 23-ZH9288 for Fire Rescue equipment; and

WHEREAS: a budget adjustment is necessary to expend the grant funds as intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

State Appropriations Capital Fund (315)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-334.50-00 State Grants/State Grants	FR2438	$5,404,352	$105,000		$5,509,352
Total Sources		$5,404,352	$105,000		$5,509,352

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
315-0000-416.60-70 Supplies/ Minor Furniture and Equipment	FR2438	$108,858	$95,000		$203,858
315-0000-416.70-25 Capital/Major Furniture and Equipment	FR2438	$132,660	$10,000		$142,660
Total Uses		$241,518	$105,000		$346,518

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R144

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Fire and Rescue

SUBJECT:
R144, Resolution Authorizing Disposal of a Generator at Rio Rancho Fire Station 3

BACKGROUND AND ANALYSIS:
The generator (Asset #583) at Rio Rancho Fire Station 3 is the original equipment that was installed in 1995. Due to age, deterioration, and lack of available replacement parts, the generator is in need of replacement. The asset is fully depreciated.

A new generator and required equipment will be purchased and installed, using State funding, that will ensure the crews at Fire Station 3 can open bay doors, operate the radios, and interior emergency lights in the event of power loss.

The disposal of property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500.

IMPACT:
Approval of the Resolution will enable the City to dispose of the non-repairable/non-operational equipment.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING DISPOSAL OF A GENERATOR AT RIO RANCHO FIRE STATION 3

WHEREAS: the Fire and Rescue Department has received State funding to replace the generator at Fire Station 3; and

WHEREAS: due to age, deterioration, and lack of replacement parts, the generator is no longer serviceable or operational; and

WHEREAS: the disposal of property is governed by Section 3-54-2 NMSA, 1978, and there is a requirement for Governing Body approval for property that does not exceed $2,500.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal authorization is hereby given to remove and dispose of the generator located at Fire Station 3, 1650 Riverside Dr NE, in Rio Rancho, NM.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R145

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Financial Services

SUBJECT:
R145, Resolution Authorizing a Budget Adjustment to the Federal Grants Fund (259) for the Drug Enforcement Agency Region One State and Local Task Force Grant Award for FY 2024

BACKGROUND AND ANALYSIS:
The City entered into an agreement with the Drug Enforcement Agency (DEA) for the period beginning on October 1, 2022, to September 30, 2026, concerning the use and abuse of controlled substances under the provisions of 21 USC § 873.

The City agrees to detail one experienced officer to the Group 3 task force. DEA reimburses the City for the cost of overtime pay for the officer assigned to the task force.

The Resolution recognizes the award amount of $20,708 for FY 2024.

IMPACT:
Sources and uses will be budgeted in the Federal Grants Fund without impacting the General Fund.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution. If the Resolution is not adopted, the City will pay for task force overtime using local sources.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE FEDERAL GRANTS FUND (259) FOR THE DRUG ENFORCEMENT AGENCY REGION ONE STATE AND LOCAL TASK FORCE GRANT AWARD FOR FY 2024

WHEREAS: the City has entered into an agreement with the United States Department of Justice, Drug Enforcement Administration (DEA) concerning the use and abuse of controlled substances under the provisions of 21 USC § 873; and

WHEREAS: a budget adjustment is necessary to recognize the award amount for FY 2024 and to expend the grant funds as intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

Federal Grants Fund (259)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
259-0000-331.20-00 Federal Grants	PS2450	$922,315	$20,708		$943,023
Total Revenue		$922,315	$20,708		$943,023

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
259-0000-424.10-21 Salaries and Wages/OT	PS2450	$101,701	$20,708		$122,409
Total Expense		$101,701	$20,708		$122,409

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R146

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Police Department

SUBJECT:
R146, Resolution Authorizing a Budget Adjustment for the Acceptance of State of New Mexico Law Enforcement Recruitment Funds to Hire Law Enforcement Officers and Law Enforcement Support Positions

BACKGROUND AND ANALYSIS:
The New Mexico Department of Finance and Administration allocated funds to the City of Rio Rancho via House Bill 2 from the 2023 Legislative Session for $1,968,750 to hire law enforcement officers and law enforcement civilian support positions. This Resolution is necessary to accept the funds and, secondly, to approve the necessary budget adjustments to categorize the funds in the appropriate budget line items.

If approved, the allocated funds will be distributed in three phases: Phase 1 will be $1,125,000 disbursed in Fiscal Year 2024 to be expended no later than June 20 30, 2024; Phase 2 funds for $562,500 will be distributed in Fiscal Year 2025 and must be expended no later than June 30, 2025; and Phase 3 funds for $281,250 will be distributed in Fiscal Year 2026 and must be expended no later than June 30, 2026.

IMPACT:
The acceptance of the Law Enforcement Recruitment Funds will allow the City of Rio Rancho to hire law enforcement officers and law enforcement civilian support staff without having to use money from the General Fund.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT FOR THE ACCEPTANCE OF THE STATE OF NEW MEXICO LAW ENFORCEMENT RECRUITMENT FUNDS TO HIRE LAW ENFORCEMENT OFFICERS AND LAW ENFORCEMENT SUPPORT POSITIONS

WHEREAS: the State of New Mexico, per House Bill 2 (2023 Regular Session), appropriated funding for the hiring of commissioned law enforcement officers and civilian personnel whose positions directly support commissioned law enforcement officers and crime reduction efforts; and

WHEREAS: the New Mexico Department of Finance and Administration allocated funds, per House Bill 2, to the City of Rio Rancho for $1,968,750; and

WHEREAS: the allocated funds may only be used for vacancies to fill current law enforcement officer positions and to fill current law enforcement support positions; and

WHEREAS: the allocated funds will be distributed in three phases: Phase 1 will be $1,125,000 disbursed in Fiscal Year 2024 to be expended no later than June 20 30, 2024; Phase 2 funds for $562,500 will be distributed in Fiscal Year 2025 and must be expended no later than June 30, 2025; and Phase 3 funds for $281,250 will be distributed in Fiscal Year 2026 and must be expended no later than June 30, 2026; and

WHEREAS: a budget adjustment is necessary to accept the award of allocation of $1,968,750.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. That authorization is given for accepting $1,968,750 in the State of New Mexico Law Enforcement Recruitment Funds.

Section 2. The following budget adjustment is approved.

NM LAW ENFORCEMENT RECRUITMENT FUND (LERF) (236)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
236-0000-334-10-00 State Grants	PS2448	$0	$1,125,000		$1,125,000
Total Sources		$0	$1,125,000		$1,125,000

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
236-0000-421-10-09 Non-Exempt Full Time	PS2448	$0	$ 425,824		$425,824
236-0000-421-10-30 Uniform Allowance	PS2448	$0	$2,227		$2,227
236-0000-421-20-01 PERA General	PS2448	$0	$83,198		$83,198
236-0000-421-20-05 FICA	PS2448	$0	$6,075		$6,075
236-0000-421-20-15 Worker's Comp.	PS2448	$0	$7,109		$7,109
236-0000-421-20-20 Health Insurance.	PS2448	$0	$105,380		$105,380
236-0000-421-20-25 Life Insurance.	PS2448	$0	$106		$106
236-0000-421-20-30 Dental Insurance.	PS2448	$0	$7,146		$7,146
236-0000-421-20-40 Retiree Healthcare.	PS2448	$0	$8,516		$8,516
236-0000-424-1009 Non-Exempt Full Time	PS2448	$0	$282,143		$282,143
236-0000-424-1030 Uniform Allowance	PS2448	$0	$6,682		$6,682
236-0000-424-2002 PERA – Law Enforce/	PS2448	$0	$96,634		$96,634
236-0000-424.20-05 FICA.	PS2448	$0	$4,189		$4,189
236-0000-424.20-15 Worker's Comp.	PS2448	$0	$11,629		$11,629
236-0000-424.20-20 Health Insurance	PS2448	$0	$66,399		$66,399
236-0000-424.20-25 Life Insurance	PS2448	$0	$38		$38
236-0000-424.20-30 Dental Insurance	PS2448	$0	$4,651		$4,651
236-0000-424.20-40 Retiree Healthcare	PS2448	$0	$7,054		$7,054
Total Uses		$0	$1,125,000		$1,125,000

ADOPTED THIS _____DAY OF _____2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R147

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Utilities

SUBJECT:
R147, Resolution Authorizing a Budget Adjustment to the Utilities Operations Fund (501) for Equipment Rental

BACKGROUND AND ANALYSIS:
Funding for rental equipment to maintain and repair wastewater infrastructure was included in the FY 2024 Budget. Due to an emergency need at Lift Station 14.2, additional funding is required to rent bypass equipment should a future need arise.

To ensure there are sufficient funds for rental equipment, a budget adjustment of $30,000 is proposed.

Lift Station 14.2 is located at 100 Industrial Park Loop at Wastewater Treatment Plant 2. The lift station conveys sewage to Wastewater Treatment Plant 2 for approximately 65,000 residents or 23,000 homes.

IMPACT:
Funding for will be reallocated from the existing repair and maintenance line item in the budget. There is no impact to the Ending Fund Balance in the Utilities Operations Fund (501).

The proposed budget adjustment will not impact the General Fund.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING A BUDGET ADJUSTMENT TO THE UTILITIES OPERATIONS FUND (501) FOR EQUIPMENT RENTAL

WHEREAS: funding for rental equipment to maintain and repair wastewater infrastructure was included in the FY 2024 Budget; and

WHEREAS: due to an emergency at Lift Station 14.2, additional funding is required if an additional need arises; and

WHEREAS: a budget adjustment is necessary to expend funds as intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That authorization is given for the following budget adjustment:

Utilities Operations Fund (501)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
501-7035-550-5030 Leases & Rentals		$25,344	$30,000		$55,344
501-7035-550-5038 Repair & Maintenance - Infrastructure		$3,868,127		$30,000	$3,838,127
Total Expense		$3,893,471	$30,000	$30,000	$3,893,471

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R148

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Police Department

SUBJECT:
R148, Resolution Authorizing Disposal of Police Department Property (Vehicles)

BACKGROUND AND ANALYSIS:
The Police Department no longer has use for property belonging to the Federal Law Enforcement Support Office (LESO) Program, which includes an
MRAP S/N: GMB408174E-HY and HUMVEE S/N: 017865. Specifically, the MRAP has been replaced by a new vehicle.

The property relinquished is required to be returned to LESO, and there is a requirement for Governing Body approval for the return of the property.

IMPACT:
Approval of the Resolution will allow for the removal of the MRAP and HUMVEE from the City of Rio Rancho's property records.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: Exhibit A.docx

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING DISPOSAL OF POLICE DEPARTMENT PROPERTY (VEHICLES)

WHEREAS: the Police Department no longer has use for property belonging to the Federal Law Enforcement Support Office (LESO) Program; and

WHEREAS: the property relinquished is required to be returned to LESO; and

WHEREAS: there is a requirement for Governing Body approval for the return of the property.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal authorization is hereby given to return property located at Police Headquarters (500 Quantum Rd) and depicted in Exhibit A, attached hereto, to the Federal LESO Program as required by the program.

ADOPTED THIS _____ DAY OF _____ 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

EXHIBIT A

Item set for Disposal.

Item	Qty	Destruction Method
MRAP S/N: GMB408174E-HY	1	Transfer
HUMVEE S/N: 017865	1	Transfer

*Picture attached.


POLICE


EMERGENCY
DIAL 911
POLICE
1600
POLICE
1600

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R149

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Police Department

SUBJECT:
R149, Resolution Authorizing Disposal of Police Department Property

BACKGROUND AND ANALYSIS:
The Police Department has damaged and worn equipment that has been replaced, and the property replaced is unusable.

The Police Department desires to remove and safely dispose of the non-usable property.

The disposal of personal property is governed by Section 3-54-2-NMSA 1978, and there is a requirement for Governing Body approval for the disposal of property that does not exceed $2,500.

Items proposed for disposal include:

FujiFilm FinePix 3800 3.2 MP Camera, Qty 2
Sony 5000 20 MP Camera, Qty 1
Samsung Digital Cam Corderm Qty 1
Sony Cyber-Shot 4.1MP Camera, Qty 1
Sony Cyber-Shot 6.0MP Camera, Qty 1
Apple i-phone, various 4s-6s, Qty 22
Samsung Galaxy Prime Cell phone, Qty 23
Motorola Droid Maxx Cell Phone, Qty 2
LG G4 Cellphone, Qty 2
LG Flip Phone, Qty 1
Samsung S9, Qty 1
Samsung S8, Qty 1
Samsung S6 Edge, Qty 1
Samsung Note 4, Qty 1
Samsung S5, Qty 1
Samsung Unknown Model Cellphones, Qty 5
Motorola HT1250 Handheld Radios, Qty 99
Motorola APX4000 Handheld Radios, Qty 65
Motorola HT1000 Handheld Radios, Qty 34
Motorola CDM1250 Car Radio, Qty 7
Motorola MT1000 Handheld Radios, Qt 7
Motorola MT2000 Handheld Radios, Qty 1
Motorola Maxtrac 300 Car Radios, Qty 6
Motorola Unknown Radio Head Unit, Qty 3
Motorola Unknown Radio Head Unit, Qty 29

Accessories for Radios, Qty 99+
Cubicle Panels/ associated Desktops, Qty 20
End Table, Qty 1
Two-Drawer Filing Cabinet, Qty 1
Rolling Metal Table, Qty 1
Four-Drawer Metal Filing Cabinet, Qty 1
Gun Safe, Qty 1
Police Reflective Vests, Qty 15
Police Light Bars, Qty 2
Television, Qty 1

IMPACT:

Approval of the Resolution will enable the disposal of damaged and unusable property.

ALTERNATIVES:

Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: Exhibit A

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION AUTHORIZING DISPOSAL OF POLICE DEPARTMENT PROPERTY

WHEREAS: the Police Department has damaged and worn equipment that has been replaced; and

WHEREAS: the property replaced is unusable; and

WHEREAS: the Police Department desires to remove and safely dispose of the non-usable property; and

WHEREAS: the disposal of personal property is governed by Section 3-54-2-NMSA 1978, and there is a requirement for Governing Body approval for the disposal of property that does not exceed $2,500.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

That formal authorization is hereby given to remove and safely dispose of the following property located at Police Headquarters (500 Quantum Rd) as depicted in Exhibit A, attached hereto.

ADOPTED THIS _____ DAY OF _____ 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

EXHIBIT A

Items set for Disposal.

Item	Qty	Destruction Method
FujiFilm FinePix 3800 3.2MP camera	2	Disposal
Sony 5000 20MP Camera	1	Disposal
Samsung Digital-Cam camcorder	1	Disposal
Sony Cyber-Shot 4.1MP camera	1	Disposal
Sony Cyber-Shot 6.0MP camera	1	Disposal
Apple iPhone, various 4S-6S	22	Disposal
Samsung Galaxy Prime cellphones	23	Disposal
Motorola Droid Maxx cell phone	2	Disposal
LG G4 cellphone	2	Disposal
LG flip phone	1	Disposal
Samsung S9	1	Disposal
Samsung S8	1	Disposal
Samsung S6 Edge	1	Disposal
Samsung Note 4	1	Disposal
Samsung S5	1	Disposal
Samsung unknown model cellphones	5	Disposal
Motorola HT1250 handheld radio	99	Disposal
Motorola APX4000 handheld radio	65	Disposal
Motorola HT1000 handheld radio	34	Disposal
Motorola CDM1250 car radio	7	Disposal
Motorola MT1000 handheld radio	7	Disposal
Motorola MT2000 handheld radio	1	Disposal
Motorola Maxtrac 300 car radio	6	Disposal
Motorola unknown radio head unit	3	Disposal
Motorola unknown radio head unit	29	Disposal
Batteries, antennas, charging docs, hand mics, power converters for associated radios	99+	Disposal
Cubicle Panels / associated Desktops	20	Disposal
End Table	1	Disposal
2 Drawer Filing Cabinet	1	Disposal
Rolling Metal Table	1	Disposal
4 drawer Filing Cabinet	1	Disposal
Gun Safe	1	Disposal
Police Reflective Vests	15	Disposal
Police Vehicle Light Bar	2	Disposal
Television	1	Disposal


ICE





*Pictures attached.




FUJIFILM
digital
DIGITAL CAMERA
FinePix
3800
FUJIFILM
digital
DIGITAL CAMERA
FinePix
3800


SONY
STAMINA
Approx. 420 Shots
or Approx. 210 min.
USING BATTERIES NH-AA-DAx2
Rechargeable Batteries and Charger Included
4.1 MEGA PIXELS
Cyber-shot
SONY LENS/OPTICAL 3x
f=6-18mm 1:2.8-5.2


18x
DIGITAL ZOOM
900x
EASY Q
REC SEARCH
REV
FWD
FADE
S.SHOW
BLC
MULTI DISP.
SAMSUNG
MENU
MPEG4 Movie
USB 2.0 Streaming
Multi Language
MEMORY STICK
VOL/MF
ENTER
Mini DV
Digital·cam
NTSC
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SAMSUNG


Galaxy S9
S9
64 GB
DROID
MAXX
LG
SAMSUNG
SAMSUNG


LG
LG
SAMSUNG
SAMSUNG


P2
P4
MOTOROLA


MOTOROLA
MADE IN CHINA


MOTOROLA

MOTOROLA
Charging
CAUTION


20.1 MEGA PIXELS AVCHD
MENU
DISP
ISO
SONY




MOTOROLA


OLD
BATTERIES


MOTOROLA
MaxTrac
MOTOROLA
MaxTrac 300
MOTOROLA
MaxTrac 300
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MaxTrac
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MaxTrac
Mon
Scan
Select
MOTOROLA
MaxTrac 300
CDM1250
MOTOROLA


MOTOROLA
MT1000


P2
P4
MOTOROLA


MOTOROLA
HT 1000


MOTOROLA
MT 2000


HSN8145B
3005
HSN8145B
3005
HSN8145B
3005
HSN8145B
3005


MICROFLEX®
KIT NO.: NNTN8525A
Desc: MotoTRBO Travel Charger
CN
Made In China
CB


MOTOROLA
MOTOROLA
HMN9052E


MOTOROLA
HT 1000


MOTOROLA
HT1250
mic
P1
P2
P3


ZEISS
Strong flash up to
16 m
ISO1600 Wide end
SONY
12x
OPTICAL ZOOM
Cyber-shot

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: D42

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Administration

SUBJECT:
D42, Appointment of Lanny Busher to the Keep Rio Rancho Beautiful Committee

BACKGROUND AND ANALYSIS:
The committee works to improve the quality of life in the community with specific focus in the areas of recycling, litter prevention, beautification, environmental education, and solid waste handling practices.

Busher resides in City Council District 6. If appointed, Busher will complete a term that expires on April 28, 2025.

IMPACT:
The appointment will fill a vacancy on the Keep Rio Rancho Beautiful Committee caused by resignation.

ALTERNATIVES:
Approve the appointment.

Do not approve the appointment.

DEPARTMENT RECOMMENDATION:
Mayor Hull recommends the appointment of Lanny Busher to the Keep Rio Rancho Beautiful Committee.

ATTACHMENT: Lanny Busher - Resume Sept 2023_Redacted.pdf

Resume for City of Rio Rancho, NM September 25, 2023

Lanny Busher

[redacted]

[redacted]

[redacted]

Employment

Various jobs between high school graduation and entering US Navy to include 4 years in USMC, retail, and social work

Lieutenant Commander USN (Ret) 1981 -1998 (Engineering/Operations/Combat Systems)

Teacher (Waianae High School Hawaii) 2000 – 2021 (Special Education/Social Studies/Engineering)

Education

Diploma Southgate High School -1967

AA (Liberal Art) Santa Ana College - 1976

BA (Public Service Management) University of Redlands - 1978

BA (Special Education) University of Phoenix - 2001

MA (Education) University of Phoenix – 2002

Experience

Head Track Coach (Waianae High School) 2001 – 2011

Head Air Riflery Coach (Waianae High School) 2001 – 2021

Waianae High School (Grievance Representative) 2003 - 2014

Mauna Olu Homeowners Association (Board Member/President) 1998 – 2013

Waianae High School - Parent Teacher Student Association (Board Member/President) 2000 – 2021

Waianae High School - School Community Council (Board Member/Chair) 2000 – 2021

Hawaii State Teachers Association (Board Member) 2011 – 2014

Hawaii State Teachers Association – Retired (Oahu District - Board Member/Treasurer) 2015 -2021

Hawaii State Teachers Association – Retired (State Retired Issues Committee - Member/Chair) 2016 - 2021

Hawaii State Teachers Association – Retired (State Legislative Action Team - Member/Chair) 2016 – 2021

Hawaii High School Athletic Association (State Air Riflery Committee – Member) 2012 - 2021

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: D43

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Administration

SUBJECT:
D43, Appointment of Scottie Richardson to the Planning and Zoning Board

BACKGROUND AND ANALYSIS:
The board has several responsibilities including promoting a comprehensive planning process with the general purpose of guiding and accomplishing a coordinated, adjusted, aesthetically appealing, and harmonious development of the City.

Until recently, Richardson served in the City Council District 5 seat for the Planning and Zoning Board. Due to a residency change, Richardson has resigned from the District 5 seat and seeks to be appointed to the currently vacant District 1 seat on the board.

If appointed, Richardson will complete a term that expires on October 27, 2025.

IMPACT:
The appointment will fill a vacancy on the Planning and Zoning Board.

ALTERNATIVES:
Approve the appointment.

Do not approve the appointment.

DEPARTMENT RECOMMENDATION:
Mayor Hull recommends the appointment of Scottie Richardson to the Planning and Zoning Board.

ATTACHMENT: Richardson Resume_Redacted.pdf

Scottie L. Richardson [redacted]

B. S. Degree Industrial Technology
North Carolina A&T State University,
Greensboro, North Carolina - 1982

PROFESSIONAL EXPERIENCE

Significant experience and leadership in the following industries:

Semiconductor, Department of Energy, Department of Defense, Bio-Pharm, Food & Beverage, Commercial Industries, Educational, and Hospitals. Thirty years of experience include project management, design engineering, and business development, including office and site startups along with leadership team building.

General Related Task(s)
Tasks include negotiating contracts, conducting business review meetings, chair staff/project meetings, forecast and manage manpower requirements, project staffing, team building, estimating, contracts and material procurement, chairing pre-bid meetings, track and manage budgets, cost, scope of work, safety, create logic and build construction schedules, weekly reports, managed sub-contractors, manage and lead project execution processes including change management. QAQC/Cx Management, Utilize Microsoft Projects, Word, Excel, PowerPoint, and familiar with P6.

Related Systems
Chillers, Boilers, Cooling Towers, Air Handlers (industrial & commercial) and associated equipment, MAU, VOCs (scrubbers), Pumps, Heat Exchangers, Nitrogen & Plant Air System, House Vacuum System, High Purity Water, Process Cooling Water System, Process Drains, Process Gases, Hydronic Piping, Stainless Steel piping & tubing, Commissioning & Startup, Transformers, Power Supplies, VFDs. MCCs, Sprinkler Systems, Fire Alarm systems, I&C.

EMPLOYMENT EXPERIENCE

Construction Sr./Project/Site Manager Experience 1996-1999; 2001-Present

Project Manager, DOE – Los Alamos National Lab (LANL) PM-CP 2017-Present
Responsible for managing projects within the Utilities & Infrastructure Division, and Science & Technology Operations overseeing subcontractors, including LANL construction management craft, safety, schedule, budget, quality, change orders, along with client interface. Majority of projects were sustaining and laboratory upgrades. Overall budgets ranges range from $1M – $17M. Managed multiple projects at the same time. Presented project updates to FOD, chaired weekly meetings with project team.

S&P Management, LLC – President/CEO
Construction Management firm. Provide QAQC, Commissioning, Pre-construction services, Project Execution, Project Closeout. Manage subcontracts as Owner's Rep. Assist Owner with Scope Development, Specifications, Code Compliance, Design Review. Manage and track Budget, Cost, Quality, Safety, and Schedule.

Semiconductor/High Tech - Basebuild
Responsibilities include Budget Costs, Scope Review and Approval, Schedule, Quality Control and Safety. Prepared estimates, pre-bid documents, assisted in procurement of equipment, materials, and subcontractors, change orders, planning daily/weekly task, managing subcontractors, and client interface with senior management. Manage all construction trades. Specialize in Process piping, HVAC and QAQC/Commissioning.
Clients – SUNY NANO tech Fab (MEP Sr. PM) – Albany, NY; GLOBALFOUNDRIES (QAQC/Cx Mgr –

FAB8), Intel, IBM (R&D Center/Fishkill Fabs), Motorola, Micro-Chip, ST-Micro, On-Semiconductor.

Semiconductor - Tool Install
Responsible for Tool Installation for the following: Diffusion, Dry Etch, Wet Etch/SNK, Litho, Analytical, Thin Films. Managed Projects up to $25 million dollars per project
Client – GLOBALFOUNDRIES, Intel Corporation, Samsung, Sandia National Laboratories.

Department of Energy (DOE) – Basebuild – Sandia National Labs (BIG J Enterprises)
MESA FAB Project ($8-million-dollar mechanical contract). Also involved with estimating and bidding new work, change orders, planning daily/weekly task, managing subcontractors, and client interface with senior management. Task included reviewing Process P&ID construction documents for procurement and construction installation. Managed design team for detail design. Overall responsibilities included Project team lead, mechanical systems, process gases piping, UPW systems, hydronics, pumps, boilers, chillers, cooling towers, heat exchangers, etc.

Previous Employers – Construction Management

PC Construction (Waste Water Sr. Project Manager) – DC Water - Washington DC **(2015-2016)**
Pike Construction (Project Manager) - GLOBALFOUNDRIES - Malta, NY **(2013-2015)**
AM Technical Solutions (Construction Management/Lead PM) – GLOBALFOUNDRIES - Malta, NY
Intel – Ocotillo, AZ, Fab 22, & 32 **(2011-2013)**
Turner Construction (Construction Management/Sr. PM) – Intel Rio Rancho, NM **(2010-2011)**
PC Construction (Construction Management/Sr. PM) – Intel NM & IBM Fishkill & Yorktown, NY **(2006-2010)**
Big J Enterprise (Mechanical Contractor/Sr. PM) DOE – Sandia National Labs
Murray Construction (Mechanical Contractor/PM) – Intel NM
Kinectics (Mechanical Contractor/Sr. Project Mgr/Branch Mgr.) – Intel AZ, Motorola & various Semiconductor Clients
Lockwood Greene (Site Manager/Sr. Construction Project Manager) – Intel Corp and Samsung Inc.

S&R Specialty Construction 2004-2006 (overlap transitioning between Big J and S&R)

President/Owner Mechanical Contractor (joint venture with Hendrick Construction)
Responsible for new business development, and bid proposals. Business focus was on DOE (Oak Ridge National Laboratory), and High Tech Industries for mechanical systems.

Design/Build Experience

Big J Enterprise, LLC 2003 – 2005
Project Manager, Mechanical Contractor:
Sandia National Laboratories, Albuquerque, New Mexico;
Responsibilities include Budget Costs, Scope Review and Approval, Schedule, Quality Control and Safety for MESA FAB ($8 million dollars' mechanical contract). Also involved with estimating and bidding new work, change orders, planning daily/weekly task, managing subcontractors, and client interface with senior management. Task included reviewing Process P&ID construction documents for procurement and construction installation. Managed design team for detail design. Overall responsibilities included Cleanroom mechanical systems, process gases piping, chilled water systems, pumps, boilers, chillers, cooling towers, heat exchangers, etc.

Murray Company 2001 – 2003
Project Manager, Mechanical Contractor:
Rio Rancho, New Mexico; Major Semiconductor Manufacturing Client
Responsibilities include Budget Costs, Scope Review and Approval, Schedule, Quality Control and Safety. Also involved with estimating and bidding new work, change orders, planning daily/weekly task, managing

subcontractors, and client interface with senior management. Responsible for $24-million-dollar high purity process piping systems, and hydronics pipe installations with in manufacturing and central utility plant.

Kinetics 2000-2001

Construction Mechanical Project Manager/Branch Manager for Arizona:

Accountable for Safety, managed Budgets, Cost, Quality, Customer Satisfaction, Leadership, Project Managers, and Employee Development. Responsible for $200m revenue generated in the electronics and commercial facilities. Related projects include Intel Corporation, Motorola; Micro-Chip; On-Semi; ST. Micro; AMEX; US West/QWEST; and Flagstaff, Arizona Medical Hospital. Responsible for $50 million project that included high purity and low purity systems and double containment pipe drainage systems.

Shambaugh & Son 1999-2000

Sr. Mechanical Design Engineer,

Designed and performed engineering calculations, for HVAC, process piping and plumbing design for high-tech manufacturing facilities, including food & beverage sector.

Lockwood Greene 1996-1998

Construction Sr. Project Manager

Construction/project manager for semiconductor facilities, and Site Utilities Services. Managed budget(s) up to $10,000,000.00. Responsibilities included funding request, scope approval, design reviews, bid process, construction phase, and team building. My overall responsibilities included safety, quality, schedule, cost, and managing hi-tech industrial systems installs (i.e. high purity systems, chillers, air handlers, house vacuum skids, hydronic system, plant air, transformer replacement, MCCs, etc)

Merrick & Company 1993-1996

Project Manager, Business Development, and Sr. Mechanical Design Engineer:

Responsibilities included client interface, managing contracts. Design projects included Semiconductor, **DOE,** and Light Industrial for HVAC, Process Piping, Plumbing, and Fire Protection design. **DOE** design projects consist of **Idaho National Engineering Laboratory, Los Alamos National Laboratory, and Sandia National Laboratories**.

Fluor Daniel 1989-1993

Lead Design Engineer: HVAC Design, I&C, Fire Suppression & Alarm

Serono Pharmaceutical Labs, Inc.
DuPont
Bosch Automotive
Xerox
Teepak Foods
Proctor and Gamble
AMGEN Pharmaceutical

Jacobs Engineering Group 1987-1989

Mechanical Design Engineer: (HVAC, Process Piping, Plumbing)

NASA - Cape Canaveral, FL. (Department of Defense)
Gist Brocades Pharmaceutical,
Pleasure Island, Disney World Entertainment

DSA Group, Inc. 1985-1987

Mechanical Designer: (HVAC, Plumbing)

U.S. Army Corp. of Engineers, N.C. Correctional Facilities, Supermarkets, Offices, and Hospitals.

Duke University Medical Center 1983 - 1985

Mechanical Draftsman

Hospital and laboratories renovations.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O26

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Development Services

SUBJECT:
O26, Ordinance of the City of Rio Rancho, New Mexico Amending the Zoning Classification and Official Zoning Map for the Property Legally Described as Los Diamantes 2, Block 10, Lots 63 to 68 from R-1: Single-Family Residential District to R-3: Mixed Residential District; Identifying Conditions of Development, Providing for Severability and an Effective Date

BACKGROUND AND ANALYSIS:

The applicant, City of Rio Rancho Development Services Department, seeks a Zone Map Amendment for Lots 63-68 of Block 10, Los Diamantes Phase 2 from R-1: Single-Family Residential District to R-3: Mixed Residential District. The subject property comprises approximately 0.94 acres. The subject property is part of the Unit 10 Specific Area Plan, adopted by the Governing Body on August 24, 2016 via Resolution No. 68, Enactment No. 16-065 and most recently amended on January 26, 2023 via Resolution No. 125, Enactment No. 23-016.

This Zone Map Amendment is being heard at the Tuesday, November 14, 2023 Planning and Zoning Board meeting. Recommendation from the Planning and Zoning Board is forthcoming.

For the Preliminary Plat and recorded Final Plat of Los Diamantes Phase 2 (LD2), the subdivision boundaries included Unit 10, Block 73, Lots 2 and 3 in addition to Tract 1-A-1 of Los Diamantes. Tract 1-A-1 (then Tract 1) had been re-zoned to R-3: Mixed-Residential from R-1: Single-Family Residential, under Ordinance No. 17, Enactment No. 15-14; however, Lots 2 and 3 were not included in the Zone Map Amendment, ownership.

During the staff review of the Preliminary Plat, approved by the Planning and Zoning Board November 9, 2021, the zoning of these two lots was missed and not accounted for, as they were not part of the original Summary Plat for the Los Diamantes Master Plan area (Book 28, Pgs 95-97) and subsequent Summary Plat splitting Tract 1 into Tract 1-A and Tract 1-B (Book 30, Pgs 83-84). In the next steps of review and approval of the Final Plat, this error in review and approval without amending zoning for Unit 10, Block 73, Lots 2 and 3, was not caught by staff. The Preliminary Plat for Los Diamantes Phase 2 was approved for an extension by the Planning and Zoning Board on August 9, 2022, with the Final Plat approved December 13, 2022. The Final Plat was recorded with the County on February 9, 2023; however, a Correction Plat was then recorded on February 22, 2023 to replace sheets 7 and 8 to add missing curve data.

As a result of the above process and review, when Lots 63-68 of Block 10, LD2 were replated from Lots 2 and 3 of Block 73 in the Los Diamantes Phase 2 Final Plat, they remained zoned R-1 and not R-3: Mixed Residential. This Zone Map Amendment is necessary to update the subject lots to

the R-3: Mixed Residential District zoning designation to correct a previous staff oversight and bring the platted lots into compliance with the zoning code requirements in Chapter 154, Section 154.50. Currently, Lots 63-68 do not comply with the minimum lot width standards of the existing R-1: Single-Family Residential Zoning and Lots 63-66 do not comply with the minimum lot area requirements of R-1 zoning.

CONFORMANCE WITH THE CITY ZONING ORDINANCE:
City of Rio Rancho Code of Ordinances (R.O. 2003) § 150.07 (A) requires that an applicant file a request for a zone map amendment through the City Planning and Zoning Board when a change in zoning designation is sought.

Staff recommends the Governing Body find that the application meets the submittal requirements for the proposed zoning request, as City staff is the applicant. Planning and Zoning Board recommendation is pending per the November 14, 2023 PZB meeting.

Pursuant to criteria provided by R.O. 2003 § 150.07 (D) (1) through (4) and (E) through (G), a request for a change in zoning designation must address the following policies and criterion for a zone map change:

(1) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

The subject application is being brought forward by the City of Rio Rancho Development Services Department. During the platting of Los Diamantes Phase 2, it was missed by City staff that Lots 2 and 3 of Block 73, Unit 10, were incorporated into the Los Diamantes Phase 2 Subdivision boundaries without an amendment to the zoning. As such, these pieces of land remained zoned R-1: Single-Family Residential District. These lots were re-platted into Lots 63-68, Block 10, of Los Diamantes Phase 2.

The Los Diamantes Phase 2 Subdivision is comprised of 268 lots and 27 tracts (filed with the Sandoval County Assessor's Office on February 21, 2023), zoned R-3: Mixed Residential District via Ordinance No. 17, Enactment No. 15-14. This Ordinance, however, did not cover Lots 2 and 3 of Block 73, Unit 10, which became Lots 63-68, Block 10, of Los Diamantes Phase 2. Due to a staff oversight, Lots 63-68 are not in compliance with the R-1 zoning; the zone map amendment request would bring these lots into compliance with the zoning width and size requirements, listed in Section 154.50 of City Code.

Staff recommends the Governing Body find that the proposed R-3: Mixed Residential zoning would be consistent with the health, safety, morals, and general welfare of the City, as it allows Lots 63-68 to be consistent with the R-3: Mixed Residential zoning of the Los Diamantes Phase 2 Subdivision and allows for the lots to conform to the requirements of Section 154.50 of R.O. 2003.

(2) Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Staff recommends the Governing Body find that the zone change is consistent with the surrounding area conditions and designated Land Use and Zoning in the Unit 10 Specific Area Plan. Map 6 of the Unit 10 Specific Area Plan identifies the underlying land use of Lots 63-68 as Medium Density Residential. The proposed Zone Map Amendment provides for consistent R-3: Mixed Residential zoning within the entirety of the Los Diamantes Phase 2 Subdivision.

Staff recommends the Governing Body finds that the request will bring LD2, Block 10, Lots 63-68 in compliance with City zoning regulations found in R.O. 2003 154.50. The request provides stability

of zoning and land use by bringing these lots into compliance.

(3) A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Staff recommends the Governing Body find that this criterion has been met, as the proposed Zone Map Amendment is consistent with the adopted Unit 10 Specific Area Plan Land Use Map, as well as the Comprehensive Plan Generalized Land Use Map (GLUM), Map L-2. The Unit 10 SAP designates these properties as "Medium Density Residential" and the GLUM identifies the properties as "Low/Medium Density Residential". The R-3: Mixed Residential zoning designation proposed for the property aligns with the Medium Density Residential land use.

The proposed change will bring Lots 63-68 into conformance with the City Code of Ordinances, Section 154.50, as they are currently non-conforming due to a staff oversight. Not addressing this oversight may lead to the perpetuation of a non-conforming use and prevent further development or permitting on these properties.

(4) The applicant must demonstrate that the existing zoning is inappropriate because:
(a) There was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map pattern was created, including the placement of an R-1 or transitional zone on an antiquated plat filed before the City’s incorporation and adoption of its own zoning code or on land annexed by the City; or
(b) Changed neighborhood or community conditions justify the change; or
(c) A different use category is more advantageous to the community, as articulated in the comprehensive plan or other City master plan, even though (D)(1) or (2) does not apply. Applicant’s reliance on this provision requires proof that (i) there is a public need for a change of the kind in question, and (ii) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Staff recommends the Governing Body finds that the existing zoning is inappropriate as there is a mistake in the existing zoning with R-1 zoned property in place for lots that should be zoned R-3. Lots 63-68 are part of the Los Diamantes Phase 2 subdivision, with all other properties within this subdivision zoned R-3: Mixed-Residential and all lot layouts recorded in compliance with an R-3 zoning designation. The proposed zone map amendment would correct a staff error and mistake and bring these lots into conformance with the City Zoning Ordinances, specifically R.O. 2003 Section 154.50.

(E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Staff recommends the Governing Body find that the cost of the land or other economic considerations is not the determining factor for the proposed zone map amendment.

(F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

Staff recommends the Governing Body find that the sole justification for this request is not based on the site's location on a major street.

(G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may only be approved when:
(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable

adopted sector development plan or area development plan; or
(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Staff recommends the Governing Body find that the proposed R-3: Mixed Residential zoning is not a spot zone, as this proposed Zone Map Amendment brings the subject Lots 63-68 into conformance with Chapter 154 of City Code and will match the R-3: Mixed Residential zoning of the Los Diamantes Phase 2 Subdivision. The proposed zone change request facilitates the Unit 10 Specific Area Plan land use of "Medium Density Residential" and is identical to adjacent properties' zoning designations.

NOTIFICATIONS:
In accordance with State Statute NMSA 3-21-6, which stipulates notification procedures for this type of zoning action, all property owners within 100 feet of the subject properties received a certified letter, return receipt, containing a notice of action and impending Planning and Zoning Board hearing. A notice sign was placed on the subject properties by the applicant, as required by ordinance, and a legal notice was published in the Albuquerque Journal on October 30, 2023.

INTERDEPARTMENTAL/INTERAGENCY REVIEW:

Reviewing Agency	Received Application for Review	Comments
DSD Planning and Zoning	X	No adverse comments.
DSD Engineering	X	No adverse comments.
Rio Rancho Public Schools	X	No comments provided
Fire and Rescue	X	Comments attached.
Police Department	X	No comments provided
SSCAFCA	X	Comments attached.
MRCOG	X	No adverse comments.
Parks, Recreation, and Community Services	X	No adverse comments.

IMPACT:
Staff recommends the Governing Body approve the Zone Map Amendment, subject to the following findings below:

General Findings of Fact:

1. The Governing Body may approve the applicant's request for a zone map amendment.
2. Following procedures for a zone map amendment, proper notice of this hearing on this matter was given.
3. The applicant has the authority to make an application to request a zone map amendment.
4. The applicant and adjacent property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact:

The applicant has submitted an application and narrative which demonstrates that the change in zoning designation meets the requirements of the Rio Rancho Code of Ordinances (R.O. 2003) § 150.07(D) Amendments, including:

1. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City by bringing the subject property into conformance with City zoning regulations.
2. The applicant has provided sound justification for the proposed zone change and the zone map amendment would provide for stability of zoning.
3. The proposed zone map amendment would be consistent with the intent of the adopted elements of the Comprehensive Plan and the Unit 10 Specific Area Plan.
4. The applicant has demonstrated that R-3: Mixed Residential zoning would be correcting an error and mistake in the existing zone map.
5. The cost of the land or other economic considerations does not appear to be a justification for the proposed zone map amendment.
6. The applicant has provided sufficient justification that the zone map amendment request is not based on the properties' location.
7. The requested zone map amendment would not create a "spot zone" in that it conforms to the medium-density residential land use within the Unit 10 Specific Area Plan.

ALTERNATIVES:

1. The Governing Body may approve the request.
2. The Governing Body may deny the request.
3. The Governing Body may modify the request and approve such modifications.
4. The Governing Body may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends the Governing Body adopt the Ordinance.

ATTACHMENT: Ordinance
ATTACHMENT: Zoning Location
ATTACHMENT: Reproduction of Notices, Legal
ATTACHMENT: Reviewer_Comments_Combined
ATTACHMENT: Book 33 Page 60-67 (Corrected Final Plat)
ATTACHMENT: Unit 10 SAP Map 6
ATTACHMENT: Plats for Los Diamantes Phase 2_Summary, Prelim, Final_propertylabeled.pdf

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING THE ZONING CLASSIFICATION AND OFFICIAL ZONING MAP FOR THE PROPERTY LEGALLY DESCRIBED AS LOS DIAMANTES PHASE 2, BLOCK 10, LOTS 63-68 FROM R-1: SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3: MIXED RESIDENTIAL DISTRICT, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 150.07, an application to amend the zoning ordinance on the subject property has been submitted by the City of Rio Rancho, and assigned City Case No. 23-100-00007; and

WHEREAS: the Governing Body adopted the Unit 10 Specific Area Plan August 24, 2016 under Resolution No. 68, Enactment No. 16-065; amended on July 25, 2018 under Resolution No. 50, Enactment No. 18-0049 and on January 26, 2023 under Resolution No. 125, Enactment No. 23-016; and

WHEREAS: the City of Rio Rancho Planning and Zoning Board held a duly noticed public hearing on November 14, 2023, regarding the proposed changes to the Zoning Classification and Official Zoning Map and, following study and consideration, has made findings (where applicable) whether or not the criteria in R.O. 2003 Section 150.07 are satisfied, and made these recommendations to the Governing Body regarding adoption of the changes; and

WHEREAS: the Governing Body received a report from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes pursuant to R.O. 2003 Section 150.07, and said report includes specific findings related to the affected property; and

WHEREAS: a public hearing occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed zoning district and Official Zone Map changes hereinafter described were duly advertised and held by the Governing Body of Rio Rancho on November 16, 2023 and the Governing Body heard interested parties and citizens for and against the proposed amendments; and

WHEREAS: the proposed amendments to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Code of

Ordinances and Statutes, and upon specific findings related to the subject property and determining the proposed amendment is consistent with the policies and criteria set forth in R.O. 2003 Section 150.07 (D) through (G), the Governing Body finds the amendment promotes the health, safety, morals, and general welfare of the City;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. Rezoning of Property and Change in Land Use. The Official Zone Map is hereby amended by assigning a zoning designation on approximately 0.94 acres from R-1: Single-Family Residential District to R-3: Mixed Residential District on the lands legally described as:

Lots 63-68, Block 10, Los Diamantes 2, filed in the office of the County Clerk of Sandoval County New Mexico, Correction Plat for Los Diamantes Subdivision Phase 2, Being a Replat of Tract 1-A-1, Los Diamantes Phase 1 Subdivision together with Lots 2 and 3, Block 73, Rio Rancho Estates Unit 10 and a portion of Westside Blvd NE, within Town of Alameda Land Grant, Projected Sections 33 & 34, Township 12 North, Range 2 East, N.M.P.M., City of Rio Rancho, Sandoval County, New Mexico November, 2022.

Section 2. Land Use, Conditions, Development Standards/Regulations and use of Property. The property identified in Section 1, above, is subject to all requirements of the R-3: Mixed-Residential Zoning District set forth in R.O. 2003 Section 154.11 (as of the effective date of this ordinance or as subsequently amended).

Section 3. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

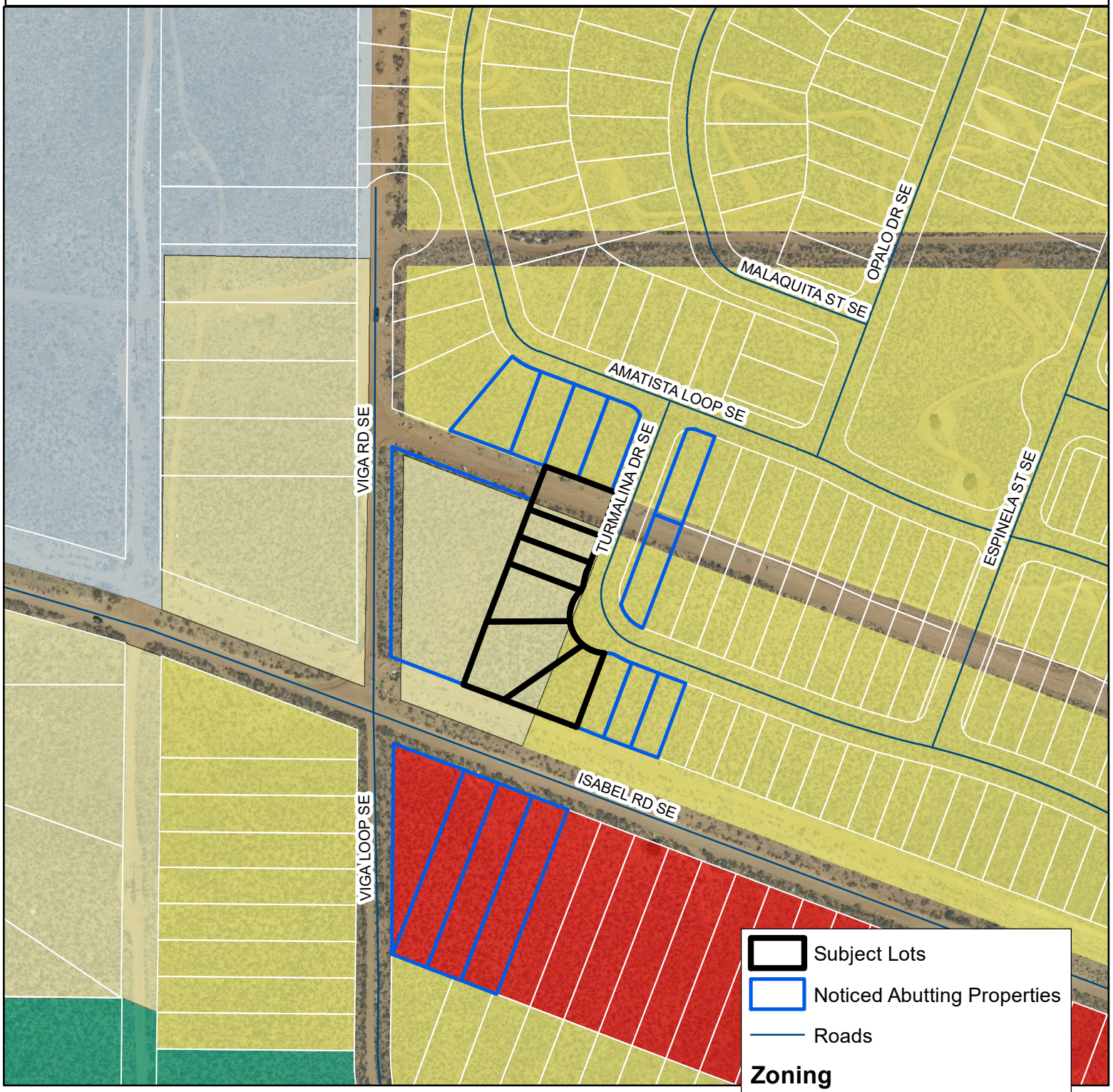
ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

LOS DIAMANTES PHASE 2, BLOCK 10, LOTS 63-68
ZONE MAP AMENDMENT R-1 TO R-3



RioRancho City of Vision

0 60 120 240 360 480 Feet

DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

GIS Moving Spatial Data Forward

Map Created by Tim Dvorak on 10/27/2023

N W E S

City of Rio Rancho
Development Services Department
3200 Civic Center Circle NE
Rio Rancho, NM 87144
Phone (505) 891-5005 Fax (505) 896-8994

October 30, 2023

RE: Zone Map Amendment: Los Diamantes Phase 2, Block 10, Lots 63-68
(R-1: Single-Family Residential District to R-3: Mixed Residential District)
Case No. 23-100-00007

Dear Property Owner:

You are receiving this notice because your property abuts a site where a land development decision is required by both the Planning and Zoning Board and the Governing Body.

The applicant, City of Rio Rancho, seeks a Zone Map Amendment for Lots 63-68 of Block 10, Los Diamantes Phase 2 from R-1: Single-Family Residential District to R-3: Mixed Residential District. The subject Lots 63-68 comprise approx. 0.94 acres. This Zone Map Amendment will additionally be heard by the Governing Body (Separate notice will be sent).

The Planning and Zoning Board will consider this request at a public hearing on **Tuesday, November 14, 2023** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Planning and Zoning Board. This Planning and Zoning Board meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

For the **Planning and Zoning Board meeting,** to participate virtually: Join via computer:
https://us06web.zoom.us/j/85180741871?pwd=T3BlSHVpWkp6d3dDRmlHd3k2VzYvUT09
Meeting ID: 851 8074 1871 Passcode: **026819** Join via phone: 1-253-215-8782 US

The Governing Body will consider this request at a public hearing on **Thursday, November 16, 2023** starting at 6:00 pm in the **Council Chambers of City Hall, located at 3200 Civic Center Circle**. If you would like to comment on this application, you are encouraged to send in comments in writing to tdvorak@rrnm.gov, which will be presented to the Governing Body. This Governing Body meeting will be hybrid with options to participate virtually or in person. The City highly encourages citizens to watch the meeting live on the City's website www.rrnm.gov or on Sparklight cable channel 56.

For the **Governing Body meeting,** to participate virtually: Join via computer:
https://us06web.zoom.us/j/85302353741?pwd=bWp1QXliSGJoeHhJaGVOczF4MDN0UT09
Meeting ID: 853 0235 3741 Passcode: 789419 Join via phone: 1-346-248-7799 US

Please do not hesitate to contact me at 505-896-8361 or e-mail me at tdvorak@rrnm.gov if you have any questions about the application or accessing the meeting. The agenda for this hearing and related staff reports will be posted on the City's website, www.rrnm.gov, approximately one week before the hearing.

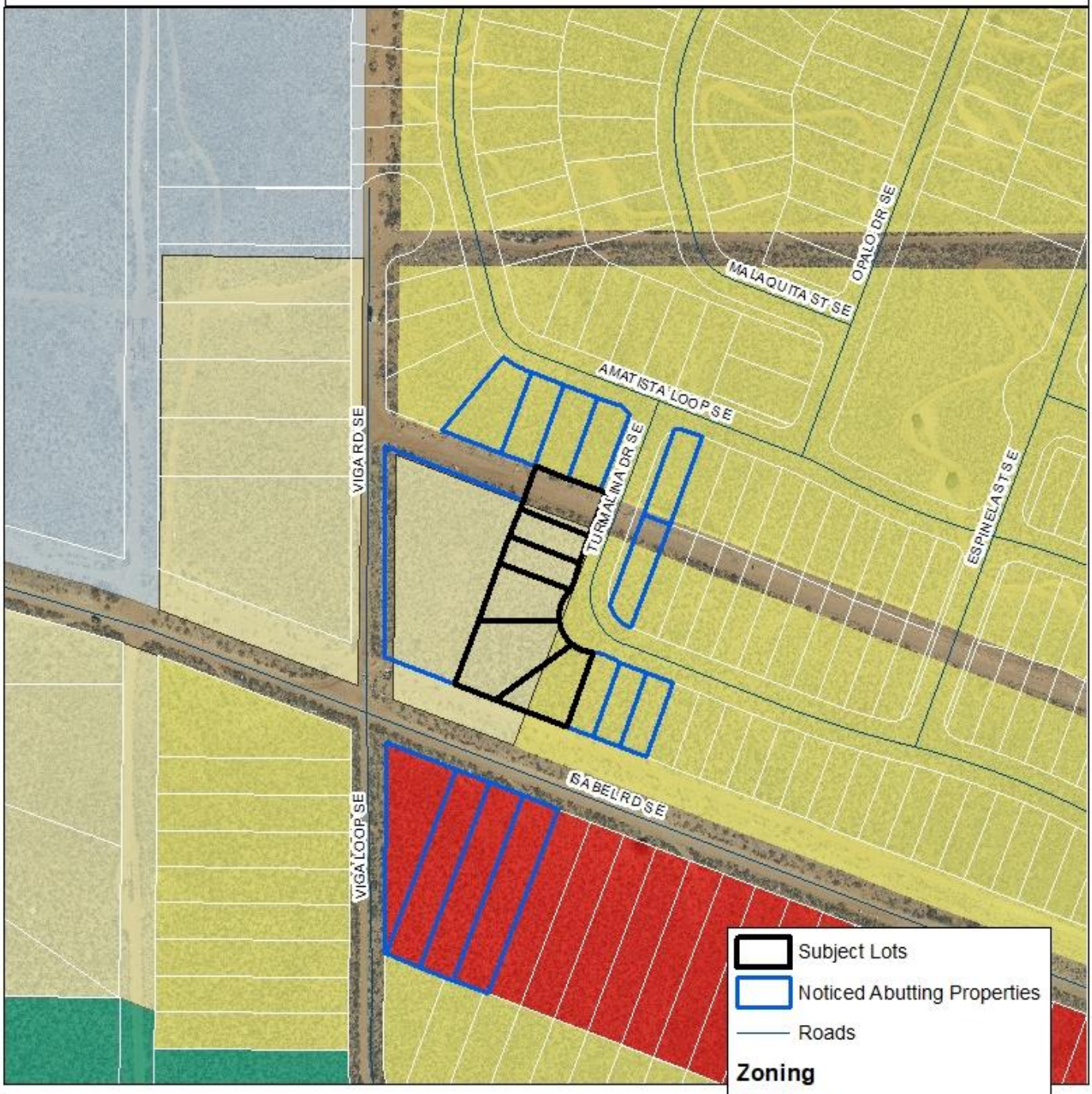
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk, 505-891-5004, as soon as possible prior to the meeting. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk if a summary or other type of accessible format is needed.

Respectfully,

Tim Dvorak

Tim Dvorak
Municipal Planner II
Development Services Department
Planning Division
City of Rio Rancho

LOS DIAMANTES PHASE 2, BLOCK 10, LOTS 63-68
ZONE MAP AMENDMENT R-1 TO R-3



Rio Rancho
City of Vision

0 60 120 240 360 480
Feet

DISCLAIMER: All information in this map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. This map is not a survey and should be used for graphical purposes only.

Map Created by Tim Dvorak on 10/27/2023

N
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CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The PLANNING and ZONING BOARD of the CITY of RIO RANCHO, NM will consider the following matters at its regularly scheduled meeting on Tuesday, November 14, 2023 at 6:00 pm:

Text Amendment
Case #23-105-00005
The applicant, City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Section 154.79 for the addition of a "Condominium Declaration Requirements" section.

Zone Map Amendment
Case #23-100-00007
The applicant, City of Rio Rancho, seeks a Zone Map Amendment for Lots 63-68 of Block 10, Los Diamantes Phase 2 from R-1: Single--Family Residential District to R-3: Mixed Residential District. The subject Lots comprise approximately 0.94 acres.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov. Written comments will be inserted into the public record.

Journal: October 30, 2023

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The GOVERNING BODY of the CITY OF RIO RANCHO, NM, will consider the following matter at its regularly scheduled meeting on Thursday, November 16, 2023 at 6:00 pm:

Text Amendment
Case #23-105-00004
The applicant, City of Rio Rancho, requests a text amendment to amend Rio Rancho Code of Ordinances (R.O. 2003) Title III Administration, Chapter 36, to establish the Affordable Housing Ordinance under Section 36.130. This is the first reading of the proposed text amendment.

Text Amendment
Case #23-105-00005
The applicant, City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Section 154.79 for the addition of a "Condominium Declaration Requirements" section.

Zone Map Amendment
Case #23-100-00007
The applicant, City of Rio Rancho, seeks a Zone Map Amendment for Lots 63-68 of Block 10, Los Diamantes Phase 2 from R-1: Single--Family Residential District to R-3: Mixed Residential District. The subject Lots comprise approximately 0.94 acres.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov Written comments will be inserted into the public record.

Journal: November 1, 2023

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: October 12, 2023

TO:
- (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Jordan Yutzy, Cedric Smith, Peter Prukop, Brian Babyak
- (X) Fire and Rescue - Jessica Duron-Martinez, Gerard Bauer
- (X) Police - Justin Garcia
- (X) SSCAFCA – Andy Edmondson, Sara Rassa
- (X) Parks and Recreation - Dyane Sonier
- (X) Rio Rancho Public Schools – Michael Baker
- (X) MRCOG – Peach Anderson-Tauzer

FROM: Development Services Department, Planning & Zoning Division

RE: Zone Map Amendment: DSD #23-100-00007 (LD2, Block 10, Lots 63-68)

The applicant, City of Rio Rancho, seeks a Zone Map Amendment for Lots 63-68 of Block 10, Los Diamantes Phase 2 from R-1: Single-Family Residential District to R-3: Mixed Residential District. During the final platting action for LD Phase 2, the subdivision boundaries included Lots 2 and 3 of Block 73. Lots 63-68 of Block 10, LD2 replaced Lots 2 and 3 of Block 73, but the underlying R-1 zoning of Lots 2 and 3 was never updated to R-3: Mixed Residential. The subject Lots 63-68 comprise approx. 0.94 acres.

The Special Use Ordinance for these properties requires site plan approval by the Planning and Zoning Board in addition to the Governing Body.

Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Thursday October 26, 2023**. If redline comments are made on the plan, please also provide me with a copy. Please contact Tim Dvorak at 505-896-8361 or e-mail tdvorak@rrnm.gov if you have any questions or would like to review a hard copy at my office.

This item has been reviewed and is hereby:
- (X) RECOMMENDED FOR APPROVAL
- (_) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
- (_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

- Re-zoning of lots approved by fire.

Gerard Bauer — Reviewer

10/18/23 — Date

DEVELOPMENT SERVICES DEPARTMENT— TRANSMITTAL AND REVIEW SHEET

DATE: October 12, 2023

TO:
- (X) Development Services – Matt Geisel, David Serrano, Amy Rincon, Jordan Yutzy, Cedric Smith, Peter Prukop, Brian Babyak
- (X) Fire and Rescue - Jessica Duron-Martinez, Gerard Bauer
- (X) Police - Justin Garcia
- (X) SSCAFCA – Andy Edmondson, Sara Rassa
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Please review and provide recommendations, comments or corrections on this form and return via hand delivery, fax or e-mail by **Thursday October 26, 2023**. If redline comments are made on the plan, please also provide me with a copy. Please contact Tim Dvorak at 505-896-8361 or e-mail tdvorak@rrnm.gov if you have any questions or would like to review a hard copy at my office.

This item has been reviewed and is hereby:
- (_) RECOMMENDED FOR APPROVAL
- (_) RETURNED FOR REVISIONS RESUBMITTAL REQUIRED
- (_) RETURNED WITH COMMENTS RESUBMITTAL NOT REQUIRED

Please ensure that the existing drainage infrastructure can support the increased runoff resulting from these changes.

10/26/2023

Reviewer Date

2023P02014 02/21/2023 10:53:45 AM
PLAT Pg:1 of 8
Anne Brady-Romero Sandoval Cnty Clerk B: 3 P: 5018

2023P02008 02/09/2023 01:17:28 PM
PLAT Pg:1 of 8
Anne Brady-Romero Sandoval Cnty Clerk B: 3 P: 5012

CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION PHASE 2

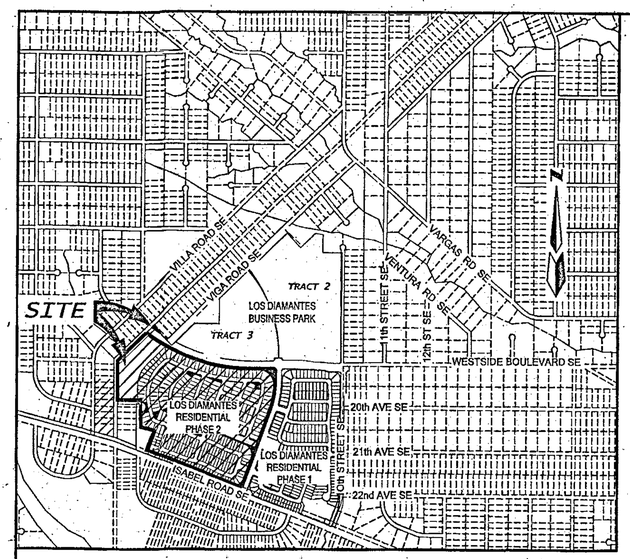
(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE,
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022

DSD CASE NO. 22-220-00015

RIO RANCHO PLANNING AND ZONING BOARD

Approved on the 13th day of December 2022.

Fred Radosevich, Chairman — Date 12-6-2023



LOCATION MAP SCALE:NTS

SUBDIVISION DATA

GROSS ACREAGE:	65.4967 AC.
NO. OF EXISTING LOTS:	2 LOTS
NO. OF EXISTING TRACTS:	2 TRACTS
NO. OF LOTS CREATED:	268 283 LOTS
NO. OF TRACTS CREATED:	77 16 TRACTS
PUBLIC RIGHT OF WAY CREATED:	13.5593 AC.
DATE OF SURVEY:	JULY, 2020

FREE CONSENT AND DEDICATION

THE SUBDIVISION HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE CREATION OF LOTS AND TRACTS AS SHOWN HEREON. THE TRACTS LABELED "H.O.A." WILL BE DEEDED IN FEE SIMPLE TO THE LOS DIAMANTES HOME OWNERS ASSOCIATION AND WILL BE MAINTAINED BY SAME. THEY WILL BE FOR THE BENEFIT OF THE HOME OWNERS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HERBY CONSENT TO THE GRANTING OF PUBLIC, PRIVATE AND TEMPORARY EASEMENTS AS SHOWN HEREON, INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, INSPECT AND MAINTAIN FACILITIES THEREIN. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY GRANT ALL PUBLC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRIC, WATER, SEWER AND COMMUNICATION SERVICES, WHERE SHOWN OR INDICATED, INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO THE DEDICATION OF PUBLIC STREET RIGHT-OF-WAY SHOWN HEREON TO THE CITY OF RIO RANCHO IN FEE SIMPLE WITH WARRANTY COVENANTS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY DEDICATE TRACT ZZ TO SSCAFCA IN FEE SIMPLE WITH WARRANTY COVENANTS UPON COMPLETION AND ACCEPTANCE OF ALL STORM DRAINAGE WORKS AND IMPROVEMENTS. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNER(S) WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASABLE TITLE IN FEE SIMPLE TO THE PROPERTY SUBDIVIDED HEREON.

OWNER(S): LD DEVELOPMENT, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY AND LOS DIAMANTES, LLC

Pierre Amestoy, Managing Member — Date 10-20-2022

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
BERNALILLO COUNTY) SS

On this 20th day of Oct., 2022, this instrument was acknowledged before me by Pierre Amestoy, Managing Member, for LD Development, LLC, a New Mexico Limited Liability Company on behalf of said Limited Liability Company.

Laverne Lucero — Notary Public — My Comission Expires 10-5-2024

STATE OF NEW MEXICO
NOTARY PUBLIC
LAVERNE LUCERO
COMMISSION # 1131708
EXPIRES OCTOBER 5, 2024

LEGAL DESCRIPTION

A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALAMEDA GRANT, PROJECTED SECTION 33 & 34, TOWNSHIP 12 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO BEING ALL OF TRACT 1-A-1, LOS DIAMANTES SUBDIVISION PHASE 1, AS THE SAME IS SHOWN AND DESIGNATED ON PLAT ENTITLED "PLAT FOR LOS DIAMANTES SUBDIVISION PHASE 1", FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON AUGUST 12TH, 2021, IN VOLUME 3, FOLIO 4734, RRE BOOK 31, PAGES 15-20C, TOGETHER WITH LOTS 2 AND LOT 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10, AS THE SAME IS SHOWN AND DESIGNATED ON PLAT "RIO RANCHO ESTATES UNIT 10", FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON MAY 13TH, 1968 IN RR BOOK 1, PAGE 74, TOGETHER WITH A PORTION OF WESTSIDE BOULEVARD NE AND CONTAINING 65.4967 ACRES MORE OR LESS.

PURPOSE OF PLAT

1. TO SUBDIVIDE TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION AND LOTS 2 & 3 BLOCK 73, RIO RANCHO ESTATES UNIT 10 INTO 269 LOTS AND 27 TRACTS AS SHOWN HEREON.
2. TO DEDICATE PUBLIC RIGHT-OF-WAY TO THE CITY OF RIO RANCHO AS SHOWN HEREON.
3. TO GRANT ALL EASEMENTS AS SHOWN HEREON.
4. TO VACATE ALL EXISTING 5' P.U.E.
5. TO VACATE A PORTION OF EXISTING IGUANA ROAD AND A PORTION OF WESTSIDE BLVD RIGHT-OF-WAY.
6. TO VACATE EXISTING TEMPORARY TURN AROUND EASEMENTS AT THE END OF VIGA ROAD AND AT THE END OF IGUANA ROAD.

SUBDIVISION NOTES

1. ALL BEARINGS ARE GRID BASED ON THE NEW MEXICO STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE).
2. ALL DISTANCES ARE GROUND DISTANCES: U.S. SURVEY FOOT.
3. ALL BEARINGS AND DISTANCES ARE FIELD AND RECORD.
4. BASIS OF BOUNDARY IS THE FOLLOWING PLATS OF RECORD ENTITLED:

   "NORTHERLY PORTION, SOUTHWESTERLY PORTION, UNIT TEN RIO RANCHO ESTATES" (05-13-1968, RRE PLAT BOOK 1, PAGE 74)

   "SUMMARY PLAT OF TRACTS 1, 2, 3 AND 4, LOS DIAMANTES SUBDIVISION" (09-27-2019, RRE PLAT BOOK 28, PAGES 95-97) (09-27-2019, VOLUME 3, FOLIO 4441) (09-27-2019, DOCUMENT #2019P01437)

   "SUMMARY PLAT FOR TRACTS 1-A & 1-B, LOS DIAMANTES SUBDIVISION (05-05-2021, RRE PLAT BOOK 30, PAGE 84).

   "LOS DIAMANTES SUBDIVISION PHASE 1" (08-12-2021, RRE PLAT BOOK 31, PAGES 15-20C) (VOLUME 3, FOLIO 4734, DOCUMENT #2021P01730)

   ALL BEING RECORDS OF SANDOVAL COUNTY, NEW MEXICO.
5. FIELD SURVEY PERFORMED IN JULY 2020.
6. CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO ZONE: (TRACT 1 - R-3 (OZ OVERLAY)
7. 100 YEAR FLOOD ZONE DESIGNATION:ZONE X AND ZONE A, AS SHOWN ON PANELS 2101 AND 2102 OF 2225, FLOOD INSURANCE RATE MAP, CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, DATED MARCH 18, 2008.
8. TITLE COMMITMENT: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 2200145; COMMITMENT DATE: FEBRUARY 8, 2022.
9. DEDICATION OF PUBLIC RIGHT-OF-WAY INCLUDES THE USE OF THE ROADWAYS AND RIGHTS-OF-WAY FOR ALL USES TYPICALLY ASSOCIATED WITH THE USE OF A RIGHT-OF-WAY AND PURPOSES APPURTENANT THERETO, INCLUDING, BUT NOT LIMITED TO, THE PASSAGE AND ACCOMMODATION OF VEHICULAR AND PEDESTRIAN TRAFFIC, AND THE CONSTRUCTION, OPERATION, USE, MAINTENANCE, INSPECTION, REPAIR, ALTERATION, AND REPLACEMENT OF A PAVED ROAD WITHIN THE BOUNDARIES OF THE RIGHT-OF-WAY AREA, AND FOR ALL OTHER PURPOSES FOR WHICH A PUBLIC STREET AND RIGHT-OF-WAY IS COMMONLY USED, INCLUDING BUT NOT LIMITED TO INSTALLING, REPAIRING, MAINTAINING, ALTERING, REPLACING, RELOCATING AND OPERATING PUBLIC AND PRIVATE UTILITIES IN, INTO, UPON, OVER, ACROSS, AND UNDER ANY SUCH RIGHT-OF-WAY.
10. H.O.A. TRACTS AS SHOWN HERE ON ARE FOR THE BENEFIT OF THE HOME OWNERS AND ARE TO BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.
11. TRACT AAA SHALL BE MADE A PART OF TRACT 3-A, LOS DIAMANTES SUBDIVISION, PHASE 1 UPON ANY FUTURE PLATTING OF SAID TRACT 3-A.

COUNTY CLERKS RECORDING INFORMATION

THIS INSTRUMENT WAS FILED FOR RECORD ON THE 21ST TH DAY OF FEBRUARY 2023 IN RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, AND WAS RECORDED IN VOLUME 3 FOLIO 5018 RECORDS OF SAID COUNTY.

(RIO RANCHO ESTATES PLAT BOOK 33, PAGE 60-67

ANNE BRADY-ROMERO, COUNTY CLERK AND RECORDER

BY: Chris Barela
DEPUTY

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

1. PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES.
2. NEW MEXICO GAS COMPANY (NMGCO) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.
3. Lumin (QWEST) FOR INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND ENCLOSURES.
4. Sparklite FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICES.
5. CITY OF RIO RANCHO UTILITIES (WATER AND SANITARY SEWER) FOR INSTALLATION, MAINTENANCE AND SERVICES OF LINES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE SERVICES.

INCLUDED, IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID RIGHT-OF-WAY AND EASEMENT, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT-OF-WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, AND TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMER/SWITCHGEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

DISCLAIMER IN APPROVING THIS PLAT, PNM, NMGCO, LUMIN AND SPARKLITE ONE DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM, NMGCO, QWEST AND CABLE ONE DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SHOWN ON THIS PLAT.

CITY CLERKS CERTIFICATE

I, Rebecca A. Martinez, City Clerk of the City of Rio Rancho, New Mexico do hereby certify that the plat shown hereon was approved by the Rio Rancho Development Services Department Director on the day of 2022.

Rebecca A. Martinez, City Clerk, City of Rio Rancho — Date 2/8/2023

TREASURER'S CERTIFICATE

I, Jennifer Taylor, Treasurer of Sandoval County, New Mexico do hereby certify that the previous ten (10) years property taxes have been paid in full.

Jennifer Taylor, Sandoval County Treasurer — Date 2/9/23

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

**PURPOSE OF CORRECTION:
REPLACE SHEETS 7 & 8
DUE TO MISSING CURVE DATA**

UTILITY APPROVALS:

City of Rio Rancho — Date 11/6/2023

New Mexico Gas Company — Date 12/21/2022

Lumin (Abdul A Bhuiyan) — Date 12/22/2022

Public Service Company of New Mexico — Date 12/22/2022

Sparklite (Anthony Lovato) — Date 12/22/22

COUNTY CLERKS RECORDING INFORMATION

THIS INSTRUMENT WAS FILED FOR RECORD ON THE 9th TH DAY OF February 2023 IN RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO, AND WAS RECORDED IN VOLUME 3 FOLIO 5012 RECORDS OF SAID COUNTY.

(RIO RANCHO ESTATES PLAT BOOK 33, PAGE 35)

ANNE BRADY-ROMERO, COUNTY CLERK AND RECORDER

BY: DEPUTY

JURISDICTIONAL AFFIDAVIT

"I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby affirm that the property described hereoh does lie within the platting and extra-territorial jurisdiction of the City of Rio Rancho, New Mexico.

Timothy Aldrich, P.S. No. 7719 — Date 11/21/2022

SURVEYOR'S CERTIFICATION

"I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat and description were prepared by me or under my supervision, shows all easements as shown on the plat of record or made known to me by the owners and/or proprietors of the subdivision shown hereon, utility companies and other parties expressing an interest and meets the Minimum Standards for Land Surveying in the State of New Mexico and the City of Rio Rancho Subdivision Ordinance and is true and correct to the best of my knowledge and belief."

Timothy Aldrich, P.S. No. 7719 — Date 11/21/2022

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 1 of 8
Scale: as shown	Date: 11/22/22	Job: A18026	

Book 33 Page 60

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F:\A18JOBS ACAD 2019\A18026 Los Diamantes BP Entitlements\PLATS\LD RESIDENTIAL FINAL PLAT-PHASE 2\A18026_LD PHASE 2 FINAL-PLAT_COVER SHEET.dwg, Last saved by: Dwayne, 11/22/22

F:\A18JOBS ACAD 2019\A18026 Los Diamantes BP Entitlements\PLATS\LD RESIDENTIAL FINAL PLAT-PHASE 2\A18026_LD PHASE 2 FINAL-PLAT_COVER SHEET.dwg, 11/22/2022 3:06:40 PM, dwayne

CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION
PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE;
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022

SCCS MONUMENT AND BENCHMARK "SAGE"
N=1545611.580
E=1499264.765
G-G=0.99965468
Δα=-00°16'22.2"
CENTRAL ZONE
ELEVATION=5676.181
(NAD83/NAVD88)

N05°42'35"E 757.68'

LOT 20 · LOT 19 · LOT 18 · LOT 17 · LOT 16 · LOT 15 · LOT 14 · LOT 13 · LOT 12 · LOT 11 · LOT 10

BLOCK 62 RIO RANCHO ESTATES UNIT 10 (05-13-1968, RRE PLAT BOOK 1, PAGE 74) LOT 16

N48°41'50"E 129.57'

TRACT 3
RIO RANCHO ESTATES UNIT 10
(09-27-19 RRE PLAT BK 3, PG 4441)

EXISTING 105' ROW

53' · 53'

WESTSIDE BOULEVARD S.E.

C1

S89°42'42"E 332.00'

S01°17'18"W 1473.36'

C2

S20°40'14"W 1152.85'

EXISTING 105' ROW

ZONE A

100 YR FLOOD PLAIN

ZONE X

TRACT 1-A-1
(FUTURE PHASE 2)

L5 EX 50'

BLOCK 60 RIO RANCHO ESTATES UNIT 10 (05-13-1968, RRE PLAT BOOK 1, PAGE 74)

LOT 12 · LOT 11 · LOT 10

TRACT 4
LOS DIAMANTES SUBDIVISION
(09-27-2019, VOLUME 3, FOLIO 4441)

L4

LOT 6 BLOCK 62

RIO RANCHO ESTATES UNIT 10 (05-13-1968, RRE PLAT BOOK 1, PAGE 74)

L3 EX 50' R/W VIGA ROAD S.E.

L2 EX 50' R/W IGUANA ROAD S.E.

LOT 1 · LOT 2 · LOT 3 · BLOCK 73

EXISTING PROPERTYLINES TO BE ELIMINATED WITH THIS PLAT

386.17'

N69°19'46"W

SOUTHERN UNION GAS COMPANY

ISABEL ROAD S.E.

BLOCK H

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

Parcel Line Table

Line #	Direction	Length
L1	N20°38'54"E	322.55
L2	N69°21'02"W	226.37
L3	N00°17'31"E	305.08
L4	N89°42'33"W	322.34
L5	N00°17'47"E	533.73
L6	N46°41'50"E	585.44

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	2453.00'	1501.62'	35°04'27"	S72°10'29"E	1478.29'
C2	30.00'	47.12'	90°00'00"	S44°42'42"E	42.43'
C3	1157.00'	411.59'	20°22'56"	S10°28'46"W	409.42'

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
ROW = RIGHT-OF-WAY
H.O.A. = HOME OWNERS ASSOCIATION

EXISTING EASEMENTS

[1] EXISTING 10' P.U.E. (9/27/2019, VOLUME 3, FOLIO 4441)

[2] EXISTING 53' PUBLIC UTILITY EASEMENT (P.U.E.) (8/12/2021, VOLUME 3, FOLIO 4734)

[3] EXISTING R50' TEMPORARY TURNAROUND EASEMENT (9/27/2019, VOLUME 3, FOLIO 4441) TO BE VACATED WITH THIS PLAT.

[4] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (05/13/1968, RR PLAT BK 1, PAGE 74) TO BE VACATED WITH THIS PLAT.

[5] PORTION OF EXISTING 50' RIGHT OF WAY TO BE VACATED WITH THIS PLAT.

PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"
○ – FOUND 1/2" REBAR
● – FOUND 1" PIPE

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

N

100' 50' 0 50' 100'

SCALE: 1" = 100'

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 2 of 8
Scale: as shown	Date: 11/22/22	Job: A18026	

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CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE,
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022

Parcel Line Table		
Line #	Direction	Length
L1	N20°38'54"E	322.55
L2	N69°21'02"W	226.37
L3	N00°17'31"E	305.08
L4	N89°42'33"W	322.34
L5	N00°17'47"E	533.73
L6	N46°41'50"E	585.44

Parcel Curve Table					
Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	2453.00'	1501.62'	35°04'27"	S72°10'29"E	1478.29'
C2	30.00'	47.12'	90°00'00"	S44°42'42"E	42.43'
C3	1157.00'	411.59'	20°22'56"	S10°28'46"W	409.42'

SCCS MONUMENT AND BENCHMARK "SAGE"
N=1545611.580
E=1499264.765
G-G=0.99965468
Δα=-00°16'22.2"
CENTRAL ZONE
ELEVATION=5676.181
(NAD83/NAVD88)

TRACT 3
RIO RANCHO ESTATES UNIT 10
(09-27-19 RRE PLAT BK 3, PG 4441)

NEW R/W DEDICATION #1 TO THE C.O.R.R WITH THIS PLAT (0.1037 AC) (12' WIDE)

WESTSIDE BOULEVARD SE

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
R/W = RIGHT-OF-WAY
H.O.A. = HOME OWNERS ASSOCIATION

EXISTING EASEMENTS

[1] EXISTING 10' P.U.E. (9/27/2019, VOLUME 3, FOLIO 4441)
[2] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (8/12/2021, VOLUME 3, FOLIO 4734)

NEW EASEMENTS

[A] NEW 10' PUBLIC UTILITY EASEMENT (P.U.E.) GRANTED BY THIS PLAT.
[B] NEW 50' WIDE PUBLIC ACCESS EASEMENT GRANTED BY THIS PLAT WITHIN TRACT 63A THAT IN THE FUTURE WILL BECOME LOT 63.

PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"
○ – FOUND 1/2" REBAR
● – FOUND 1" PIPE

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

SHEET 4
SHEET 5
SHEET 6

TRACT ZZ
*TRACT ZZ TO BE DEDICATED TO S.S.C.A.F.C.A.
TR ZZ
690 Amatista Lp

NEW R/W DEDICATION #2 TO THE C.O.R.R. WITH THIS PLAT (0.1559 AC)

AMATISTA LOOP
ALEJADRITA ROAD
CUARZO ROAD
TOPACIO WAY
ESPINELA STREET
OPALO DRIVE
TURMALINA DRIVE
VIGA ROAD SE
ISABEL ROAD SE
AMBAR WAY
APATITA WAY
AGATA WAY
LOS DIAMANTES DRIVE SE
ICLITA ROAD
MAGNESITA STREET

AA 3033 Opalo Dr
CC-1 530 Amatista Lp
GG 547 Amatista
HH 586 Amatista Lp
JJ 606 Amatista Lp
KK 630 Amatista
LL 650 Amatista
II 3010 Espinela St
FF 531 Amatista Lp
EE 3030 Espinela St
DD 521 Amatista
BB 3032 Espinela St
S 3036 Espinela St
PP 3055 Malquita
QQ 3040 Malquita
MM
NN
RR 3059 Opalo
SS 745 Amatista
TT 746 Amatista
UU 790 Amatista LP
VV 791 Amatista Lp
WW 844 Amatista Lp
XX 867 Amatista
YY 544 Turmalina

SCALE: 1" = 100'

*SEE SHEETS 7 & 8 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES

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P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

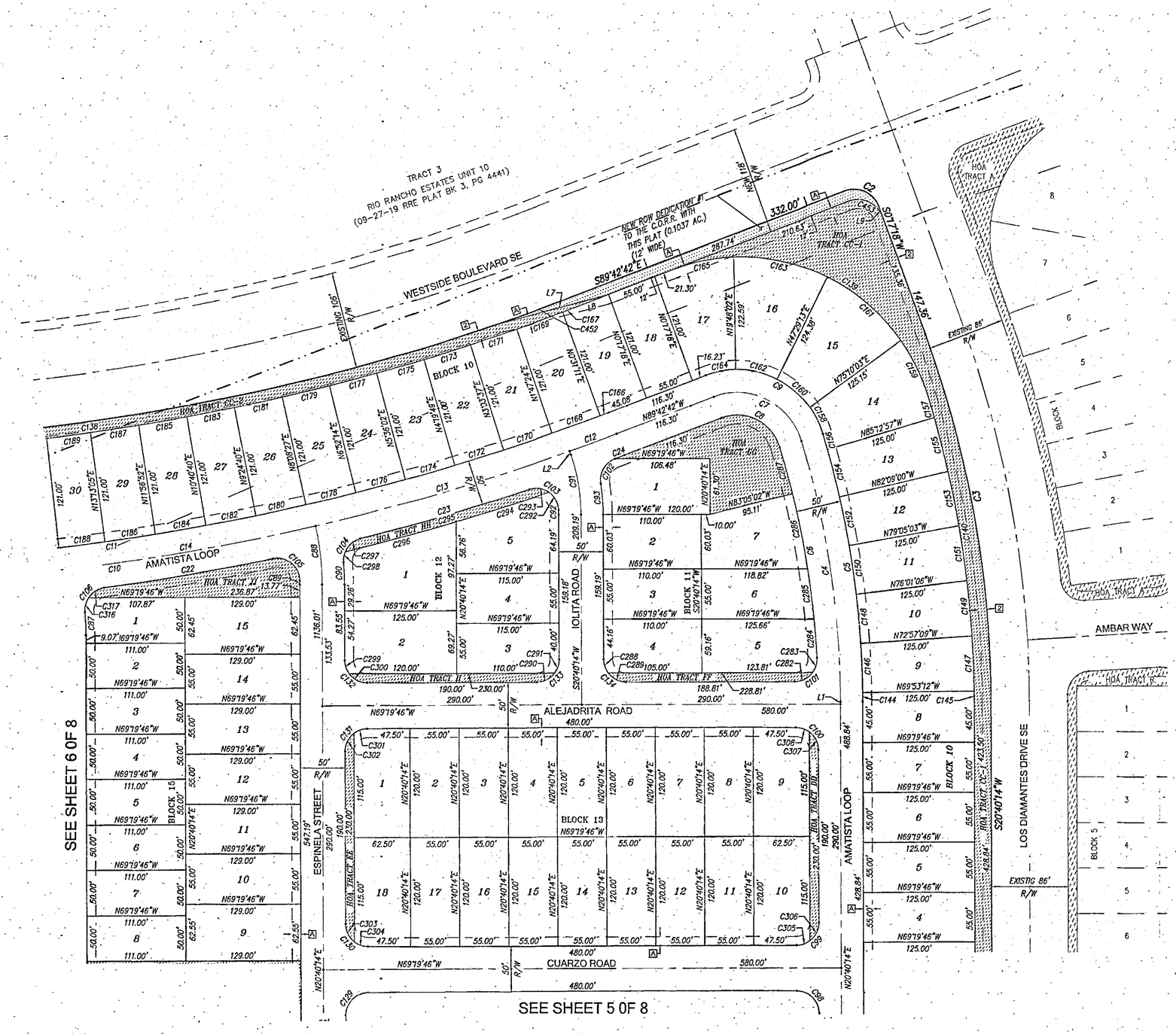
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Scale: as shown	Date: 11/22/22	Job: A18026	

Book 33 Page 62

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CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION
PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE, WITHIN THE TOWN OF ALAMEDA GRANT PROJECTED SECTIONS 33 & 34 TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M. CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO NOVEMBER, 2022



*SEE SHEETS 7 & 8 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES.

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
R/W = RIGHT-OF-WAY
H.O.A. = HOME OWNERS ASSOCIATION

EXISTING EASEMENTS

[1] EXISTING 10' P.U.E. (9/27/2019, VOLUME 3, FOLIO 4441)

[2] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (8/12/2021, VOLUME 3, FOLIO 4734)

NEW EASEMENTS

[A] NEW 10' PUBLIC UTILITY EASEMENT (P.U.E.) GRANTED BY THIS PLAT.

PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"
○ – FOUND 1/2" REBAR
● – FOUND 1" PIPE

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

N

60' 30' 0 60' 120'
SCALE: 1" = 60'

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 4 of 8
Scale: as shown	Date: 11/22/22	Job: A18026	

Book 33, Page 63

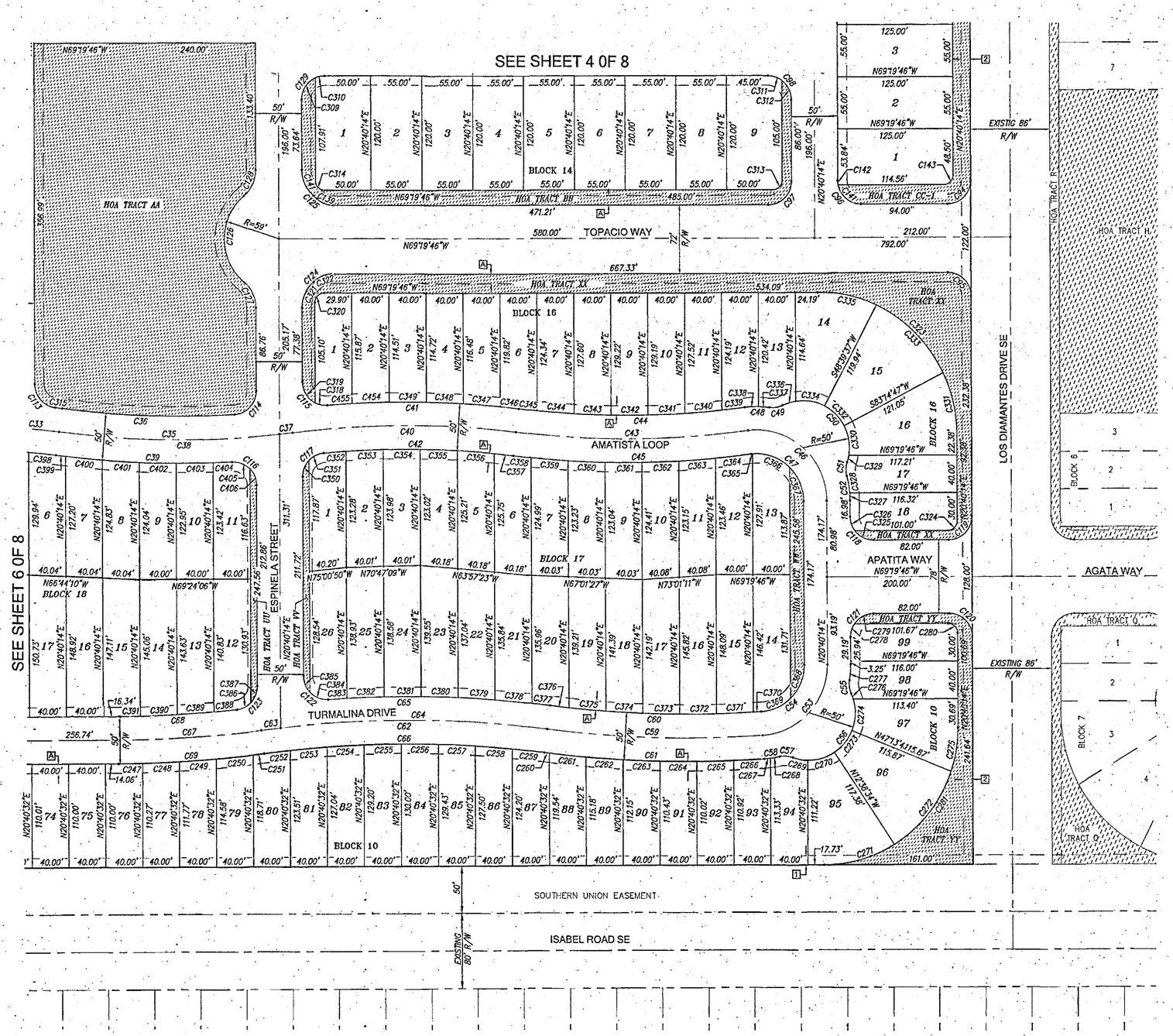
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CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION
PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE, WITHIN THE TOWN OF ALAMEDA GRANT PROJECTED SECTIONS 33 & 34 TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M. CITY OF RIO RANCHO SANDOVAL COUNTY, NEW MEXICO NOVEMBER, 2022



ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
R/W = RIGHT-OF-WAY
H.O.A. = HOME OWNERS ASSOCIATION

EXISTING EASEMENTS

[1] EXISTING 10' P.U.E. (9/27/2019, VOLUME 3, FOLIO 4441)

[2] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (8/12/2021, VOLUME 3, FOLIO 4734)

NEW EASEMENTS

[A] NEW 10' PUBLIC UTILITY EASEMENT (P.U.E.) GRANTED BY THIS PLAT.

PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"
○ – FOUND 1/2" REBAR
● – FOUND 1" PIPE

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

*SEE SHEETS 7 & 8 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES.

60' 30' 0 60' 120'
SCALE: 1" = 60'

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

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CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE,
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

EXISTING EASEMENTS

[1] EXISTING 10' P.U.E. (9/27/2019, VOLUME 3, FOLIO 4441)

[2] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (8/12/2021, VOLUME 3, FOLIO 4734)

NEW EASEMENTS

[A] NEW 10' PUBLIC UTILITY EASEMENT (P.U.E.) GRANTED BY THIS PLAT.

[B] NEW 50' WIDE PUBLIC ACCESS EASEMENT GRANTED BY THIS PLAT WITHIN TRACT 63A THAT IN THE FUTURE WILL BECOME LOT 63.

TRACT A
LOS DIAMANTES SUBDIVISION UNIT 1
(09-27-19, RRE BK 3, PG 4441)

RIO RANCHO ESTATES UNIT 10
(05-13-68 RRE BK 1, PG 74)

REA EASEMENT

EXISTING 50' R/W

533.73'

585.44'

272.34'

TRACT ZZ
* TRACT ZZ TO BE DEDICATED TO S.S.C.A.F.C.A.

NEW R/W DEDICATION #2 TO THE C.O.R.R. WITH THIS PLAT

BLOCK 10

AMATISTA LOOP

MALAQUITA STREET

BLOCK 20

BLOCK 19

TURMALINA DRIVE

OPALO DRIVE

VIGA ROAD SE

ISABEL ROAD SE

AMATISTA LOOP

WESTSIDE BOULEVARD SE

TRACT AAA

TRACT SS

TRACT 63A

HOA TRACT NN

HOA TRACT FF

HOA TRACT QQ

HOA TRACT KK

HOA TRACT RR

HOA TRACT MM

HOA TRACT LL

HOA TRACT OO-2

TRACT 3
RIO RANCHO ESTATES UNIT 10
(09-27-19 RRE PLAT BK 3, PG 4441)

108.21'
N46°41'50"E
54.08'
54.13'

SEE SHEET 5 0F 8

SEE SHEET 4 0F 8

*SEE SHEETS 7 & 8 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES.

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
R/W = RIGHT-OF-WAY
H.O.A. = HOME OWNERS ASSOCIATION

PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"
○ – FOUND 1/2" REBAR
● – FOUND 1" PIPE

60' 30' 0 60' 120'
SCALE: 1" = 60'

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 6 of 8
Scale: as shown	Date: 11/22/22	Job: A18026	

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Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	2453.00'	1501.62'	35°04'27"	S72°10'29"E	1478.29'
C2	30.00'	47.12'	90°00'00"	N44°42'42"W	42.43'
C3	1157.00'	411.59'	20°22'56"	N10°28'46"E	409.42'
C4	988.00'	291.14'	16°53'02"	N12°13'43"E	290.09'
C5	1013.00'	298.51'	16°53'02"	N12°13'43"E	297.43'
C6	963.00'	235.34'	14°00'06"	N10°47'15"E	234.75'
C7	75.00'	122.38'	93°29'39"	N42°57'52"W	109.25'
C8	50.00'	81.59'	93°29'35"	S42°57'54"E	72.83'
C9	100.00'	163.18'	93°29'41"	N42°57'52"W	145.67'
C10	2611.00'	1145.52'	25°08'15"	S77°08'35"E	1136.36'
C11	2586.00'	1134.56'	25°08'15"	S77°08'35"E	1125.48'
C12	2611.00'	56.27'	1°14'05"	S89°05'39"E	56.27'
C13	2611.00'	295.97'	6°29'41"	S85°13'46"E	295.81'
C14	2611.00'	293.11'	6°25'55"	S78°45'58"E	292.95'
C15	2611.00'	260.04'	5°42'23"	S72°41'49"E	259.94'
C16	2611.00'	240.13'	5°16'10"	S67°12'32"E	240.05'
C17	75.00'	89.98'	68°44'09"	S81°03'28"W	84.68'
C18	100.00'	119.97'	68°44'09"	S81°03'28"W	112.90'
C19	50.00'	59.98'	68°44'09"	S81°03'28"W	56.45'
C20	2636.00'	189.88'	4°07'38"	N66°38'16"W	189.84'
C21	2636.00'	165.04'	3°35'14"	S72°40'29"E	165.02'
C22	2636.00'	191.83'	4°10'11"	N78°42'28"W	191.79'
C23	2636.00'	196.57'	4°16'21"	N85°06'52"W	196.52'
C24	2636.00'	11.38'	0°14'50"	S89°35'17"E	11.38'
C25	525.00'	560.82'	61°12'19"	S16°05'14"W	534.54'
C26	550.00'	587.53'	61°12'19"	S16°05'14"W	559.99'
C27	500.00'	534.12'	61°12'19"	S16°05'14"W	509.08'
C28	75.00'	71.75'	54°48'50"	S41°55'21"E	69.05'
C29	100.00'	95.67'	54°48'50"	S41°55'21"E	92.06'
C30	50.00'	47.83'	54°48'50"	S41°55'21"E	46.03'
C31	600.00'	80.37'	7°40'30"	N65°29'31"W	80.31'
C32	600.00'	29.07'	2°46'35"	N67°56'28"W	29.07'
C33	600.00'	51.30'	4°53'54"	N64°06'13"W	51.28'
C34	575.00'	77.02'	7°40'30"	N65°29'31"W	76.96'
C35	1000.00'	239.53'	13°43'26"	S68°30'59"E	238.96'
C36	975.00'	187.47'	11°01'01"	S67°09'47"E	187.18'
C37	1000.00'	14.22'	0°48'52"	S75°47'09"E	14.22'
C38	1000.00'	253.74'	14°32'18"	S68°55'25"E	253.06'
C39	1025.00'	191.39'	10°41'54"	S67°00'13"E	191.11'
C40	1000.00'	242.34'	13°53'07"	N69°15'01"W	241.75'
C41	1025.00'	207.34'	11°35'24"	N68°06'10"W	206.99'
C42	975.00'	205.43'	12°04'20"	N68°20'37"W	205.05'
C43	1000.00'	252.10'	14°26'40"	S69°31'48"E	251.44'
C44	975.00'	245.80'	14°26'40"	S69°31'48"E	245.15'
C45	1025.00'	258.41'	14°26'40"	S69°31'48"E	257.72'
C46	75.00'	127.53'	97°25'22"	N28°02'27"W	112.71'
C47	50.00'	85.02'	97°25'22"	N28°02'27"W	75.14'
C48	100.00'	26.45'	15°09'15"	N69°10'30"W	26.37'
C49	25.00'	14.64'	33°33'26"	S78°22'36"E	14.43'
C50	50.00'	117.14'	134°13'45"	N28°02'27"W	92.13'
C51	25.00'	14.64'	33°33'26"	S22°17'43"W	14.43'
C52	100.00'	26.45'	15°09'15"	N13°05'37"E	26.37'
C53	75.00'	112.86'	86°13'10"	N63°46'49"E	102.51'
C54	50.00'	75.24'	86°13'10"	N63°46'49"E	68.34'
C55	25.00'	14.64'	33°33'26"	S13°26'40"W	14.43'
C56	50.00'	117.14'	134°13'45"	N63°46'49"E	92.13'
C57	25.00'	14.64'	33°33'26"	N65°53'01"W	14.43'
C58	100.00'	16.67'	9°33'09"	S77°53'10"E	16.65'
C59	1200.00'	234.21'	11°10'57"	S67°31'07"E	233.83'
C60	1175.00'	229.33'	11°10'57"	S67°31'07"E	228.96'
C61	1225.00'	239.09'	11°10'57"	S67°31'07"E	238.71'
C62	1200.00'	310.05'	14°48'14"	N69°19'46"W	309.19'
C63	1200.00'	21.12'	1°00'30"	N76°13'38"W	21.12'
C64	1200.00'	288.94'	13°47'44"	N68°49'31"W	288.24'
C65	1225.00'	240.28'	11°14'18"	N67°32'47"W	239.89'
C66	1175.00'	303.59'	14°48'14"	N69°19'46"W	302.75'

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C67	1200.00'	155.13'	7°24'25"	S73°01'41"E	155.02'
C68	1175.00'	128.65'	6°16'23"	S72°27'40"E	128.58'
C69	1225.00'	158.36'	7°24'25"	S73°01'41"E	158.25'
C70	75.00'	117.81'	90°00'00"	S24°19'28"E	106.07'
C71	50.00'	78.54'	90°00'00"	S24°19'28"E	70.71'
C72	25.00'	14.64'	33°33'26"	N74°39'38"W	14.43'
C73	50.00'	117.14'	134°13'45"	S24°19'28"E	92.13'
C74	25.00'	14.64'	33°33'26"	N26°00'41"E	14.43'
C75	100.00'	19.97'	11°26'34"	S14°57'15"W	19.94'
C76	75.00'	71.75'	54°48'50"	S41°55'21"E	69.05'
C77	50.00'	47.83'	54°48'50"	S41°55'21"E	46.03'
C78	100.00'	95.67'	54°48'50"	S41°55'21"E	92.06'
C79	350.00'	373.88'	61°12'19"	S16°05'14"W	356.36'
C80	375.00'	400.59'	61°12'19"	S16°05'14"W	381.81'
C81	325.00'	347.18'	61°12'19"	S16°05'14"W	330.90'
C82	200.00'	92.62'	26°32'01"	N33°25'23"E	91.79'
C83	175.00'	45.73'	14°58'17"	N39°12'15"E	45.60'
C84	225.00'	76.99'	19°36'19"	N36°53'14"E	76.61'
C85	300.00'	32.57'	6°13'15"	N17°33'37"E	32.56'
C86	275.00'	17.89'	3°43'40"	N18°48'24"E	17.89'
C87	325.00'	25.18'	4°26'21"	N18°27'04"E	25.17'
C88	300.00'	64.77'	12°22'11"	N14°29'09"E	64.64'
C89	275.00'	4.34'	0°54'12"	N20°13'08"E	4.34'
C90	325.00'	24.17'	4°15'39"	N18°32'25"E	24.16'
C91	200.00'	66.84'	19°08'51"	N11°05'49"E	66.53'
C92	175.00'	5.03'	1°38'54"	N19°50'47"E	5.03'
C93	225.00'	34.18'	8°42'13"	N16°19'08"E	34.15'
C94	25.00'	39.27'	90°00'00"	N65°40'14"E	35.36'
C95	25.00'	39.27'	90°00'00"	N24°19'46"W	35.36'
C96	25.00'	39.27'	90°00'00"	S24°19'46"E	35.36'
C97	25.00'	39.27'	90°00'00"	N65°40'14"E	35.36'
C98	25.00'	39.27'	90°00'00"	N24°19'46"W	35.36'
C99	25.00'	39.27'	90°00'00"	N65°40'14"E	35.36'
C100	25.00'	39.27'	90°00'00"	N24°19'46"W	35.36'
C101	25.00'	40.53'	92°52'56"	N64°13'46"E	36.23'
C102	25.00'	34.28'	78°34'08"	S51°15'05"W	31.66'
C103	25.00'	46.37'	106°16'22"	N34°06'51"W	40.00'
C104	25.00'	35.17'	80°36'44"	S56°42'57"W	32.34'
C105	25.00'	43.88'	100°33'36"	N30°30'46"W	38.46'
C106	25.00'	38.02'	87°08'43"	S59°48'15"W	34.46'
C107	25.00'	39.89'	91°24'40"	N28°45'46"W	35.79'
C108	25.00'	35.79'	82°02'03"	S68°06'07"W	32.81'
C109	25.00'	43.82'	100°25'12"	N18°29'29"W	38.42'
C110	25.00'	39.27'	90°00'17"	N24°19'37"W	35.36'
C111	25.00'	39.27'	89°59'43"	S65°40'23"W	35.35'
C112	25.00'	39.27'	90°00'00"	N65°40'14"E	35.36'
C113	25.00'	36.22'	83°00'49"	S20°50'10"E	33.14'
C114	25.00'	37.81'	86°39'29"	N63°59'59"E	34.31'
C115	25.00'	41.26'	94°34'06"	S26°36'49"E	36.74'
C116	25.00'	40.59'	93°01'24"	N25°50'28"W	36.28'
C117	25.00'	37.07'	84°56'58"	S63°08'44"W	33.76'
C118	25.00'	39.27'	90°00'00"	S24°19'46"E	35.36'
C119	25.00'	39.27'	90°00'00"	N65°40'14"E	35.36'
C120	25.00'	39.27'	90°00'00"	N24°19'46"W	35.36'
C121	25.00'	39.27'	90°00'00"	S65°40'14"W	35.36'
C122	25.00'	40.94'	93°50'10"	S26°14'51"E	36.52'
C123	25.00'	36.53'	83°43'54"	N62°32'11"E	33.37'
C124	59.00'	2.85'	2°45'56"	N69°37'22"E	2.85'
C125	59.00'	4.89'	4°45'01"	N27°17'21"W	4.89'
C126	59.00'	103.66'	100°40'12"	S20°40'14"W	90.84'
C127	35.00'	30.75'	50°20'06"	N4°29'49"W	29.77'
C128	35.00'	30.75'	50°20'06"	N45°50'17"E	29.77'
C129	25.00'	39.27'	90°00'00"	S65°40'14"W	35.36'
C130	25.00'	39.27'	90°00'00"	S24°19'46"E	35.36'
C131	25.00'	39.27'	90°00'00"	S65°40'14"W	35.36'
C132	25.00'	39.27'	90°00'00"	S24°19'46"E	35.36'

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C133	25.00'	39.27'	90°00'00"	N65°40'14"E	35.36'
C134	25.00'	39.27'	90°00'00"	S24°19'46"E	35.36'
C135	25.00'	39.27'	90°00'00"	N24°19'46"W	35.36'
C136	25.00'	39.27'	90°00'00"	N65°40'14"E	35.36'
C137	2460.76'	281.58'	6°33'22"	N57°55'34"W	281.42'
C138	2465.00'	1229.89'	28°35'14"	S75°25'05"E	1217.17'
C139	220.00'	358.68'	93°24'45"	N43°00'19"W	320.25'
C140	1138.00'	337.05'	16°58'11"	N12°11'09"E	335.82'
C141	25.00'	34.58'	79°15'11"	S29°42'10"E	31.89'
C142	25.00'	4.69'	10°44'49"	N15°17'50"E	4.68'
C143	10.00'	7.85'	45°00'00"	S43°10'14"W	7.65'
C144	1013.00'	9.85'	0°33'26"	N20°23'31"E	9.85'
C145	1138.57'	11.07'	0°33'25"	S20°23'31"W	11.07'
C146	1013.00'	54.20'	3°03'57"	N18°34'49"E	54.20'
C147	1138.02'	60.89'	3°03'57"	S18°34'49"W	60.89'
C148	1013.00'	54.20'	3°03'57"	N15°30'53"E	54.20'
C149	1138.00'	60.89'	3°03'57"	S15°30'53"W	60.89'
C150	1013.00'	54.20'	3°03'57"	S12°26'56"W	54.20'
C151	1138.00'	60.89'	3°03'57"	N12°26'56"E	60.89'
C152	1013.00'	54.20'	3°03'57"	S9°22'59"W	54.20'
C153	1138.00'	60.89'	3°03'57"	N9°22'59"E	60.89'
C154	1013.00'	54.20'	3°03'57"	N6°19'02"E	54.20'
C155	1138.00'	60.89'	3°03'57"	S6°19'02"W	60.89'
C156	1013.00'	17.64'	0°59'51"	N4°17'08"E	17.64'
C157	1138.00'	21.52'	1°05'00"	S4°14'33"W	21.52'
C158	100.00'	32.56'	18°39'27"	N5°30'14"W	32.42'
C159	220.00'	71.52'	18°37'35"	S5°36'44"E	71.21'
C160	100.00'	48.31'	27°40'49"	N28°40'22"W	47.84'
C161	220.00'	108.64'	28°17'36"	S29°04'20"E	107.54'
C162	100.00'	48.32'	27°41'11"	N56°21'22"W	47.85'
C163	220.00'	108.04'	28°08'17"	S57°17'16"E	106.96'
C164	100.00'	34.06'	19°30'44"	N79°57'20"W	33.89'
C165	220.00'	70.48'	18°21'17"	S80°32'03"E	70.18'
C166	2586.00'	10.45'	0°13'53"	N89°35'45"W	10.45'
C167	2465.00'	9.96'	0°13'53"	S89°35'45"E	9.96'
C168	2586.00'	57.33'	1°16'13"	N88°50'42"W	57.33'
C169	2465.00'	54.65'	1°16'13"	S88°50'42"E	54.64'
C170	2586.00'	57.33'	1°16'13"	N87°34'30"W	57.33'
C171	2465.00'	54.65'	1°16'13"	S87°34'30"E	54.64'
C172	2586.00'	57.33'	1°16'13"	N86°18'17"W	57.33'
C173	2465.00'	1229.89'	28°35'14"	S75°25'05"E	1217.17'
C174	2586.00'	57.33'	1°16'13"	S85°02'05"E	57.33'
C175	2465.00'	54.65'	1°16'13"	N85°02'05"W	54.64'
C176	2586.00'	57.33'	1°16'13"	S83°45'52"E	57.33'
C177	2465.00'	54.65'	1°16'13"	N83°45'52"W	54.64'
C178	2586.00'	57.33'	1°16'13"	S82°29'39"E	57.33'
C179	2465.00'	54.65'	1°16'13"	N82°29'39"W	54.64'
C180	2586.00'	57.33'	1°16'13"	S81°13'27"E	57.33'
C181	2465.00'	54.65'	1°16'13"	N81°13'27"W	54.64'
C182	2586.00'	57.17'	1°16'00"	S79°57'20"E	57.17'
C183	2465.00'	54.50'	1°16'00"	N79°57'20"W	54.49'
C184	2586.00'	57.33'	1°16'13"	S78°41'14"E	57.33'
C185	2465.00'	54.65'	1°16'13"	N78°41'14"W	54.64'
C186	2586.00'	57.33'	1°16'13"	S77°25'01"E	57.33'
C187	2465.00'	54.65'	1°16'13"	N77°25'01"W	54.64'
C188	2586.00'	52.12'	1°09'17"	S76°12'17"E	52.12'
C189	2465.00'	49.68'	1°09'17"	N76°12'17"W	49.68'
C190	2586.00'	52.12'	1°09'17"	S75°03'00"E	52.12'
C191	2465.00'	49.68'	1°09'17"	N75°03'00"W	49.68'
C192	2586.00'	52.12'	1°09'17"	S73°53'43"E	52.12'
C193	2465.00'	49.68'	1°09'17"	N73°53'43"W	49.68'
C194	2586.00'	52.12'	1°09'17"	S72°44'26"E	52.12'
C195	2465.00'	49.68'	1°09'17"	N72°44'26"W	49.68'
C196	2586.00'	52.12'	1°09'17"	S71°35'09"E	52.12'
C197	2465.00'	49.68'	1°09'17"	N71°35'09"W	49.68'
C198	2586.00'	52.12'	1°09'17"	S70°25'52"E	52.12'

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C199	2465.00'	49.68'	1°09'17"	N70°25'52"W	49.68'
C200	2586.00'	52.12'	1°09'17"	S69°16'35"E	52.12'
C201	2465.00'	49.68'	1°09'17"	N69°16'35"W	49.68'
C202	2586.00'	52.12'	1°09'17"	S68°07'18"E	52.12'
C203	2465.00'	49.68'	1°09'17"	N68°07'18"W	49.68'
C204	2586.00'	52.12'	1°09'17"	S66°58'01"E	52.12'
C205	2465.00'	49.68'	1°09'17"	N66°58'01"W	49.68'
C206	2586.00'	52.12'	1°09'17"	S65°48'44"E	52.12'
C207	2465.00'	49.68'	1°09'17"	N65°48'44"W	49.68'
C208	2586.00'	29.82'	0°39'38"	S64°54'17"E	29.82'
C209	100.00'	18.34'	10°30'38"	S69°49'46"E	18.32'
C210	2465.00'	69.49'	1°36'55"	N64°25'38"W	69.49'
C211	100.00'	43.01'	24°38'30"	S87°24'21"E	42.68'
C212	2465.00'	107.35'	2°29'43"	N62°22'19"W	107.34'
C213	100.00'	43.01'	24°38'30"	N67°57'09"E	42.68'
C214	100.00'	15.61'	8°56'31"	N51°09'39"E	15.59'
C215	550.00'	46.34'	4°49'37"	S44°16'35"W	46.32'
C216	550.00'	48.65'	5°04'05"	N39°19'44"E	48.63'
C217	550.00'	48.65'	5°04'05"	N34°15'39"E	48.63'
C218	375.00'	52.42'	8°00'31"	S42°41'08"W	52.37'
C219	550.00'	48.65'	5°04'05"	N29°11'33"E	48.63'
C220	375.00'	61.50'	9°23'48"	S33°58'59"W	61.43'
C221	550.00'	48.65'	5°04'05"	N24°07'28"E	48.63'
C222	375.00'	61.54'	9°24'08"	S24°35'01"W	61.47'
C223	550.00'	48.65'	5°04'05"	N19°03'23"E	48.63'
C224	375.00'	61.51'	9°23'55"	S15°11'00"W	61.44'
C225	550.00'	48.65'	5°04'05"	N13°59'18"E	48.63'
C226	375.00'	61.43'	9°23'08"	S5°47'28"W	61.36'
C227	550.00'	48.65'	5°04'05"	N8°55'13"E	48.63'
C228	375.00'	5.28'	0°48'23"	S0°41'42"W	5.28'
C229	550.00'	48.65'	5°04'05"	N3°51'07"E	48.63'
C230	550.00'	48.65'	5°04'05"	N1°12'58"W	48.63'
C231	550.00'	57.75'	6°00'58"	N6°45'29"W	57.72'
C232	550.00'	45.59'	4°44'57"	S12°08'27"E	45.58'
C233	58.00'	221.35'	218°40'02"	N30°59'02"W	109.46'
C234	25.00'	34.06'	78°03'28"	N39°19'15"E	31.49'
C235	100.00'	17.96'	10°17'24"	S19°39'38"E	17.94'
C236	100.00'	43.83'	25°06'42"	N37°21'41"W	43.48'
C237	100.00'	33.88'	19°24'44"	N59°37'24"W	33.72'
C238	25.00'	20.09'	46°02'41"	N46°18'25"W	19.55'
C239	25.00'	19.18'	43°57'37"	N1°18'17"W	18.71'
C240	25.00'	11.35'	26°00'31"	N22°14'13"E	11.25'
C241	25.00'	3.29'	7°32'56"	N39°00'56"E	3.29'
C242	50.00'	43.19'	49°29'48"	N18°02'31"E	41.86'
C243	50.00'	38.34'	43°56'22"	N28°40'34"W	37.41'
C244	50.00'	32.28'	36°59'24"	N69°08'27"W	31.72'
C245	50.00'	3.32'	3°48'12"	N89°32'15"W	3.32'
C246	100.00'	19.97'	11°26'34"	S63°36'11"E	19.94'
C247	1225.00'	25.94'	1°12'48"	N69°55'52"W	25.94'
C248	1225.00'	40.03'	1°52'20"	N71°28'26"W	40.03'
C249	1225.00'	40.10'	1°52'32"	N73°20'53"W	40.10'
C250	1225.00'	40.21'	1°52'51"	N75°13'34"W	40.21'
C251	1225.00'	12.07'	0°33'53"	N76°26'56"W	12.07'
C252	1175.00'	28.21'	1°22'33"	N76°02'36"W	28.21'
C253	1175.00'	40.16'	1°57'30"	N74°22'35"W	40.16'
C254	1175.00'	40.06'	1°57'12"	N72°25'14"W	40.06'
C255	1175.00'	40.01'	1°57'04"	N70°28'06"W	40.01'
C256	1175.00'	40.01'	1°57'03"	N68°31'03"W	40.00'
C257	1175.00'	40.05'	1°57'10"	N66°33'57"W	40.05'
C258	1175.00'	40.14'	1°57'26"	N64°36'39"W	40.14'
C259	1175.00'	34.96'	1°42'17"	N62°46'47"W	34.96'
C260	1225.00'	5.31'	0°14'54"	N62°03'06"W	5.31'
C261	1225.00'	40.24'	1°52'55"	N63°07'00"W	40.24'
C262	1225.00'	40.12'	1°52'35"	N64°59'45"W	40.11'
C263	1225.00'	40.04'	1°52'22"	N66°52'14"W	40.04'
C264	1225.00'	40.00'	1°52'16"	N68°44'32"W	40.00'

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C265	1225.00'	40.01'	1°52'17"	N70°36'49"W	40.01'
C266	1225.00'	33.37'	1°33'38"	N72°19'47"W	33.36'
C267	100.00'	6.72'	3°50'52"	N75°02'02"W	6.71'
C268	100.00'	9.96'	5°42'17"	N79°48'36"W	9.95'
C269	50.00'	16.17'	18°31'46"	N58°22'11"W	16.10'
C270	50.00'	30.55'	35°00'31"	N85°08'19"W	30.08'
C271	145.00'	79.62'	31°27'46"	S85°03'39"E	78.63'
C272	145.00'	101.11'	39°57'09"	N59°13'54"E	99.07'
C273	50.00'	30.18'	34°35'11"	S60°03'50"W	29.73'
C274	50.00'	34.00'	38°57'30"	S23°17'30"W	33.35'
C275	145.00'	47.03'	18°35'05"	N29°57'47"E	46.83'
C276	50.00'	6.24'	7°08'48"	S0°14'21"W	6.23'
C277	100.00'	16.67'	9°33'09"	N25°26'49"E	16.65'
C278	25.00'	14.93'	34°12'34"	S37°46'31"W	14.71'
C279	25.00'	24.34'	55°47'26"	S82°46'31"W	23.39'
C280	10.00'	15.71'	90°00'00"	S24°19'46"E	14.14'
C281	145.00'	101.11'	39°57'09"	S59°13'54"W	99.07'
C282	25.00'	23.18'	53°07'48"	N84°06'20"E	22.36'
C283	25.00'	17.35'	39°45'07"	N37°39'52"E	17.00'
C284	963.00'	43.02'	2°33'35"	N16°30'31"E	43.02'
C285	963.00'	55.43'	3°17'53"	N13°34'47"E	55.42'
C286	963.00'	84.26'	5°00'47"	N9°25'28"E	84.23'
C287	963.00'	52.67'	3°08'01"	S5°20'57"W	52.66'
C288	25.00'	16.09'	36°52'12"	S2°14'08"W	15.81'
C289	25.00'	23.18'	53°07'48"	S42°45'52"E	22.36'
C290	25.00'	23.18'	53°07'48"	N84°06'20"E	22.36'
C291	25.00'	16.09'	36°52'12"	N39°06'20"E	15.81'
C292	25.00'	23.28'	53°21'30"	N7°39'25"W	22.45'
C293	25.00'	23.09'	52°54'52"	N60°47'36"W	22.28'
C294	2646.00'	109.15'	2°21'48"	N86°30'03"W	109.14'
C295	2646.00'	237.20'	5°08'11"	S85°06'52"E	237.12'
C296	2646.00'	128.05'	2°46'22"	N83°55'58"W	128.04'
C297	25.00'	23.09'	52°54'52"	S70°33'53"W	22.28'
C298	25.00'	12.09'	27°41'52"	S30°15'31"W	11.97'
C299	25.00'	16.09'	36°52'12"	S2°14'08"W	15.81'
C300	25.00'	23.18'	53°07'48"	S42°45'52"E	22.36'
C301	25.00'	16.09'	36°52'12"	N87°45'52"W	15.81'
C302	25.00'	23.18'	53°07'48"	N47°14'08"E	22.36'
C303	25.00'	23.18'	53°07'48"	N5°53'40"W	22.36'
C304	25.00'	16.09'	36°52'12"	S50°53'40"E	15.81'
C305	25.00'	16.09'	36°52'12"	S87°45'52"E	15.81'
C306	25.00'	23.18'	53°07'48"	S47°14'08"W	22.36'
C307	25.00'	23.18'	53°07'48"	S5°53'40"E	22.36'
C308	25.00'	16.09'	36°52'12"	N50°53'40"W	15.81'
C309	25.00'	28.98'	66°25'19"	S53°52'54"W	27.39'
C310	25.00'	10.29'	23°34'41"	N81°07'06"W	10.22'
C311	25.00'	16.09'	36°52'12"	N50°53'40"W	15.81'
C312	25.00'	23.18'	53°07'48"	N5°53'40"W	22.36'
C313	10.00'	15.71'	90°00'00"	S65°40'14"W	14.14'
C314	10.00'	15.71'	90°00'00"	N24°19'46"W	14.14'
C315	625.00'	7.51'	0°41'18"	S61°59'55"E	7.51'
C316	25.00'	16.60'	38°03'01"	S35°15'24"W	16.30'
C317	25.00'	21.42'	49°05'42"	S78°49'46"W	20.77'
C318	25.00'	13.59'	31°08'53"	S58°19'25"E	13.42'
C319	25.00'	27.67'	63°25'13"	S11°02'22"E	26.28'
C320	10.00'	15.71'	90°00'00"	N65°40'14"E	14.14'
C321	35.00'	30.75'	50°20'06"	S45°50'17"W	29.77'
C322	25.00'	18.51'	42°25'50"	S89°27'19"W	18.09'
C323	150.00'	235.62'	90°00'00"	N24°19'46"W	212.13'
C324	10.00'	15.71'	90°00'00"	S65°40'14"W	14.14'
C325	25.00'	23.18'	53°07'48"	S42°45'52"E	22.36'
C326	25.00'	16.09'	36°52'12"	S2°14'08"W	15.81'
C327	100.00'	8.03'	4°36'02"	S18°22'13"W	8.03'
C328	100.00'	18.42'	10°33'13"	S10°47'36"W	18.39'
C329	50.00'	7.69'	8°48'31"	S34°40'10"W	7.68'
C330	50.00'	32.30'	37°01'07"	S11°45'21"W	31.75'

CORRECTION PLAT

FOR

LOS DIAMANTES SUBDIVISION PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE,
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022

PARCEL CURVE DATA CONTINUED
ON SHEET 8 OF 8

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 7 of 8
Scale: as shown	Date: 11/22/22	Job: A18026	

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F:\A18JOBS ACAD 2019\A18026 Los Diamantes BP Entitlements\PLATS\LD RESIDENTIAL FINAL PLAT-PHASE 2\A18026_LD PHASE 2 FINAL-PLAT-R2.dwg, Last saved by: Dwayne, 2/17/23 3:26:05 PM, dwayne

CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE,
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C331	150.00'	66.93'	25°34'01"	N7°53'14"E	66.38'
C332	50.00'	30.18'	34°35'11"	S24°02'48"E	29.73'
C333	150.00'	103.40'	39°29'47"	N24°38'40"W	101.37'
C334	50.00'	32.13'	36°49'10"	S59°44'58"E	31.58'
C335	150.00'	65.28'	24°56'12"	N56°51'40"W	64.77'
C336	50.00'	14.83'	16°59'46"	S86°39'26"E	14.78'
C337	100.00'	11.68'	6°41'31"	S84°56'39"E	11.67'
C338	100.00'	14.77'	8°27'44"	S72°31'16"E	14.76'
C339	975.00'	25.44'	1°29'42"	S76°00'17"E	25.44'
C340	975.00'	40.14'	2°21'32"	S74°04'40"E	40.14'
C341	975.00'	40.04'	2°21'10"	S71°43'19"E	40.03'
C342	975.00'	40.00'	2°21'03"	S69°22'13"E	40.00'
C343	975.00'	40.04'	2°21'10"	S67°01'06"E	40.03'
C344	975.00'	40.14'	2°21'31"	S64°39'46"E	40.13'
C345	975.00'	20.01'	1°10'33"	S62°53'44"E	20.01'
C346	1025.00'	20.25'	1°07'54"	S62°52'25"E	20.25'
C347	1025.00'	40.14'	2°14'38"	S64°33'41"E	40.14'
C348	1025.00'	40.04'	2°14'18"	S66°48'09"E	40.04'
C349	1025.00'	40.00'	2°14'10"	S69°02'22"E	40.00'
C350	25.00'	19.17'	43°56'44"	N42°38'36"E	18.71'
C351	25.00'	17.89'	41°00'15"	S85°07'05"W	17.51'
C352	975.00'	24.27'	1°25'35"	N73°40'00"W	24.27'
C353	975.00'	40.04'	2°21'10"	N71°46'37"W	40.04'
C354	975.00'	40.00'	2°21'03"	N69°25'31"W	40.00'
C355	975.00'	40.03'	2°21'09"	N67°04'25"W	40.03'
C356	975.00'	40.13'	2°21'30"	N64°43'05"W	40.13'
C357	975.00'	20.95'	1°13'52"	N62°55'24"W	20.95'
C358	1025.00'	19.30'	1°04'45"	N62°50'50"W	19.30'
C359	1025.00'	40.14'	2°14'38"	N64°30'32"W	40.14'
C360	1025.00'	40.04'	2°14'18"	N66°45'00"W	40.04'
C361	1025.00'	40.00'	2°14'10"	N68°59'14"W	40.00'
C362	1025.00'	40.02'	2°14'14"	N71°13'26"W	40.02'
C363	1025.00'	40.11'	2°14'31"	N73°27'49"W	40.10'
C364	1025.00'	38.78'	2°10'04"	N75°40'06"W	38.78'
C365	50.00'	1.47'	1°41'01"	N75°54'37"W	1.47'
C366	50.00'	43.78'	50°09'58"	N49°59'08"W	42.39'
C367	50.00'	39.77'	45°34'23"	S2°06'57"E	38.73'
C368	50.00'	39.77'	45°34'23"	S43°27'26"W	38.73'
C369	50.00'	35.47'	40°38'47"	N86°34'01"E	34.73'
C370	1175.00'	8.31'	0°24'19"	S72°54'26"E	8.31'
C371	1175.00'	40.04'	1°57'08"	S71°43'42"E	40.04'
C372	1175.00'	40.00'	1°57'02"	S69°46'37"E	40.00'
C373	1175.00'	40.02'	1°57'05"	S67°49'33"E	40.01'
C374	1175.00'	40.07'	1°57'15"	S65°52'24"E	40.07'
C375	1175.00'	40.18'	1°57'34"	S63°54'59"E	40.18'
C376	1175.00'	20.70'	1°00'34"	S62°25'56"E	20.70'
C377	1225.00'	19.59'	0°54'59"	S62°23'08"E	19.59'
C378	1225.00'	40.19'	1°52'47"	S63°47'01"E	40.19'
C379	1225.00'	40.08'	1°52'29"	S65°39'39"E	40.08'
C380	1225.00'	40.02'	1°52'19"	S67°32'03"E	40.02'
C381	1225.00'	40.00'	1°52'15"	S69°24'20"E	40.00'
C382	1225.00'	40.02'	1°52'19"	S71°16'38"E	40.02'
C383	1225.00'	20.36'	0°57'09"	S72°41'22"E	20.36'
C384	25.00'	21.77'	49°53'27"	S48°13'13"E	21.09'
C385	25.00'	19.17'	43°56'44"	N1°18'08"W	18.71'
C386	25.00'	17.36'	39°47'10"	N84°30'33"E	17.01'
C387	25.00'	19.17'	43°56'44"	S42°38'36"W	18.71'
C388	1175.00'	24.85'	1°12'43"	S74°59'30"E	24.85'
C389	1175.00'	40.10'	1°57'20"	S73°24'29"E	40.10'
C390	1175.00'	40.03'	1°57'07"	S71°27'16"E	40.03'
C391	1175.00'	23.66'	1°09'14"	S69°54'05"E	23.66'
C392	50.00'	45.71'	52°22'51"	N43°08'03"W	44.14'
C393	50.00'	32.83'	37°37'09"	S1°51'57"W	32.24'
C394	25.00'	23.65'	54°11'38"	S47°46'21"W	22.77'
C395	25.00'	15.62'	35°48'05"	N87°13'48"W	15.37'
C396	575.00'	7.06'	0°42'14"	N68°58'39"W	7.06'

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C397	575.00'	40.05'	3°59'28"	N66°37'48"W	40.04'
C398	575.00'	29.91'	2°58'48"	N63°08'40"W	29.90'
C399	1025.00'	10.36'	0°34'44"	N61°56'38"W	10.36'
C400	1025.00'	40.22'	2°14'54"	N63°21'27"W	40.22'
C401	1025.00'	40.09'	2°14'27"	N65°36'08"W	40.08'
C402	1025.00'	40.02'	2°14'13"	N67°50'27"W	40.01'
C403	1025.00'	40.01'	2°14'11"	N70°04'39"W	40.00'
C404	1025.00'	20.70'	1°09'26"	N71°46'27"W	20.70'
C405	25.00'	21.41'	49°04'40"	N47°48'50"W	20.77'
C406	25.00'	19.17'	43°56'44"	S1°18'08"E	18.71'
C407	25.00'	23.18'	53°07'48"	N84°06'20"E	22.36'
C408	25.00'	16.09'	36°52'12"	N39°06'20"E	15.81'
C409	25.00'	0.29'	0°39'51"	S16°36'38"W	0.29'
C410	25.00'	39.60'	90°44'49"	N29°05'42"W	35.59'
C411	2636.00'	165.04'	3°35'14"	N72°40'29"W	165.02'
C412	225.00'	24.66'	6°16'48"	S30°13'29"W	24.65'
C413	225.00'	50.76'	12°55'33"	S39°49'40"W	50.65'
C414	225.00'	1.57'	0°23'57"	S46°29'25"W	1.57'
C415	325.00'	44.92'	7°55'06"	S42°43'50"W	44.88'
C416	325.00'	72.87'	12°50'46"	S32°20'54"W	72.71'
C417	325.00'	72.87'	12°50'46"	S19°30'08"W	72.71'
C418	325.00'	72.87'	12°50'46"	S6°39'22"W	72.71'
C419	325.00'	72.87'	12°50'46"	S6°11'23"E	72.71'
C420	325.00'	10.79'	1°54'09"	S13°33'51"E	10.79'
C421	25.00'	28.33'	64°55'55"	N36°51'48"W	26.84'
C422	25.00'	10.94'	25°04'05"	N8°08'12"E	10.85'
C423	25.00'	16.09'	36°52'12"	N39°06'20"E	15.81'
C424	25.00'	23.18'	53°07'48"	N84°06'20"E	22.36'
C425	375.00'	61.54'	9°24'08"	N24°35'01"E	61.47'
C426	500.00'	45.52'	5°12'56"	N11°54'27"W	45.50'
C427	500.00'	63.30'	7°15'12"	S5°40'23"E	63.26'
C428	500.00'	63.30'	7°15'12"	S1°34'49"W	63.26'
C429	500.00'	63.30'	7°15'12"	S8°50'02"W	63.26'
C430	500.00'	63.30'	7°15'12"	S16°05'14"W	63.26'
C431	500.00'	63.30'	7°15'12"	S23°20'26"W	63.26'
C432	500.00'	63.30'	7°15'12"	S30°35'39"W	63.26'
C433	500.00'	63.30'	7°15'12"	S37°50'51"W	63.26'
C434	500.00'	45.52'	5°12'56"	S44°04'55"W	45.50'
C435	50.00'	28.09'	32°11'14"	S62°47'00"W	27.72'
C436	50.00'	31.89'	36°32'55"	N82°50'55"W	31.36'
C437	2646.00'	240.32'	5°12'14"	S66°31'53"E	240.24'
C438	2646.00'	123.40'	2°40'20"	S65°15'56"E	123.39'
C439	2646.00'	116.92'	2°31'54"	S67°52'03"E	116.91'
C440	25.00'	23.09'	52°54'52"	N42°14'39"W	22.28'
C441	25.00'	20.73'	47°30'20"	N7°57'57"E	20.14'
C442	375.00'	8.22'	1°15'23"	N46°03'42"E	8.22'
C443	375.00'	48.03'	7°20'19"	N41°45'51"E	48.00'
C444	375.00'	48.03'	7°20'19"	N34°25'32"E	48.00'
C445	375.00'	48.03'	7°20'19"	N27°05'13"E	48.00'
C446	375.00'	48.03'	7°20'19"	N19°44'54"E	48.00'
C447	375.00'	48.03'	7°20'19"	N12°24'35"E	48.00'
C448	375.00'	48.03'	7°20'19"	N5°04'16"E	48.00'
C449	375.00'	48.03'	7°20'19"	N2°16'03"W	48.00'
C450	375.00'	48.04'	7°20'24"	N9°36'24"W	48.01'
C451	375.00'	8.11'	1°14'20"	N13°53'46"W	8.11'
C452	2453.00'	80.97'	1°53'29"	S88°45'57"E	80.97'
C453	30.00'	47.12'	90°00'00"	N44°42'42"W	42.43'
C454	1025.00'	40.03'	2°14'15"	S7°16'35"E	40.02'
C455	1025.00'	26.88'	1°30'10"	S7°08'47"E	26.88'

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	10	7290.0130 sf
2	10	6875.0000 sf
3	10	6875.0000 sf
4	10	6875.0000 sf
5	10	6875.0000 sf
6	10	6875.0000 sf
7	10	6875.0000 sf
8	10	6932.7748 sf
9	10	7193.5264 sf
10	10	7193.5259 sf
11	10	7193.5259 sf
12	10	7193.5259 sf
13	10	7193.5259 sf
14	10	8958.8634 sf
15	10	9798.6164 sf
16	10	9659.0267 sf
17	10	8636.2296 sf
18	10	6655.0000 sf
19	10	6688.6613 sf
20	10	6774.4332 sf
21	10	6774.4332 sf
22	10	6774.4332 sf
23	10	6774.4332 sf
24	10	6774.4332 sf
25	10	6774.4332 sf
26	10	6774.4332 sf
27	10	6755.8264 sf
28	10	6774.4332 sf
29	10	6774.4332 sf
30	10	6158.5619 sf
31	10	6158.5619 sf
32	10	6158.5619 sf
33	10	6158.5619 sf
34	10	6158.5619 sf
35	10	6158.5619 sf
36	10	6158.5619 sf
37	10	6158.5619 sf
38	10	6158.5619 sf
39	10	6158.5619 sf
40	10	7141.9950 sf
41	10	10721.0589 sf
42	10	10110.2973 sf
43	10	6863.4406 sf
44	10	6000.0000 sf
45	10	6497.2368 sf
46	10	6820.0928 sf
47	10	7389.5356 sf
48	10	7842.0989 sf
49	10	8014.9370 sf
50	10	7902.4197 sf
51	10	7508.0031 sf
52	10	6920.3169 sf
53	10	6539.5684 sf
54	10	6476.3890 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
55	10	6585.4609 sf
56	10	6144.7984 sf
57	10	8395.5042 sf
58	10	12041.1888 sf
59	10	8204.2298 sf
60	10	6003.4556 sf
61	10	6002.5322 sf
62	10	5958.9638 sf
64	10	4199.9998 sf
65	10	4238.5434 sf
66	10	6900.4881 sf
67	10	11408.6081 sf
68	10	7553.8890 sf
69	10	4443.3880 sf
70	10	4400.7921 sf
71	10	4400.6568 sf
72	10	4400.5214 sf
73	10	4400.3861 sf
74	10	4400.2508 sf
75	10	4400.1154 sf
76	10	4402.3549 sf
77	10	4436.4949 sf
78	10	4522.6330 sf
79	10	4661.4259 sf
80	10	4847.0566 sf
81	10	5015.5247 sf
82	10	5129.3501 sf
83	10	5188.4440 sf
84	10	5193.0135 sf
85	10	5143.0750 sf
86	10	5038.4545 sf
87	10	4878.8265 sf
88	10	4689.9019 sf
89	10	4542.2366 sf
90	10	4447.2875 sf
91	10	4404.7484 sf
92	10	4414.4833 sf
93	10	4476.9852 sf
94	10	4555.1822 sf
95	10	7306.2510 sf
96	10	7705.1913 sf
97	10	6293.2924 sf
98	10	4655.5273 sf
99	10	4599.0326 sf
ROW DEDICATION #1	10	4516.6062 sf
ROW DEDICATION #2	10	6789.3888 sf
TRACT 63A	10	6680.0650 sf
TRACT CC-1	10	32345.9433 sf
TRACT CC-2	10	14526.9807 sf
TRACT MM	10	9535.3814 sf
TRACT SS	10	748.6439 sf
TRACT YY	10	9820.4884 sf
TRACT ZZ	10	285248.4386 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	11	7359.0876 sf
2	11	6602.7755 sf
3	11	6050.0000 sf
4	11	6483.7819 sf
5	11	7535.3492 sf
6	11	6737.8833 sf
7	11	7919.7806 sf
TRACT FF	11	2167.6944 sf
TRACT GG	11	9742.2520 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	12	10096.9666 sf
2	12	8634.5520 sf
3	12	6301.0941 sf
4	12	6325.0000 sf
5	12	8445.4485 sf
TRACT HH	12	2247.9683 sf
TRACT II	12	2179.5595 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	13	7476.0976 sf
2	13	6600.0000 sf
3	13	6600.0000 sf
4	13	6600.0000 sf
5	13	6600.0000 sf
6	13	6600.0000 sf
7	13	6600.0000 sf
8	13	6600.0000 sf
9	13	7476.0906 sf
10	13	7476.0975 sf
11	13	6600.0000 sf
12	13	6600.0000 sf
13	13	6600.0000 sf
14	13	6600.0000 sf
15	13	6600.0000 sf
16	13	6600.0000 sf
17	13	6600.0000 sf
18	13	7476.0907 sf
TRACT DD	13	2179.5595 sf
TRACT EE	13	2179.5595 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	14	7171.7124 sf
2	14	6600.0000 sf
3	14	6600.0000 sf
4	14	6600.0000 sf
5	14	6600.0000 sf
6	14	6600.0000 sf
7	14	6600.0000 sf
8	14	6600.0000 sf
9	14	7154.6248 sf
TRACT BB	14	10844.4563 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	15	5556.0974 sf
2	15	5550.0000 sf
3	15	5550.0000 sf
4	15	5550.0000 sf
5	15	5550.0000 sf
6	15	5550.0000 sf
7	15	5550.0000 sf
8	15	5550.0000 sf
9	15	8068.4779 sf
10	15	7095.0000 sf
11	15	7095.0000 sf
12	15	7095.0000 sf
13	15	7095.0000 sf
14	15	7095.0000 sf
15	15	8056.5221 sf
TRACT AA	15	90261.2949 sf
TRACT JJ	15	6081.3132 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	16	4644.6530 sf
2	16	4602.5735 sf
3	16	4579.4335 sf
4	16	4618.7706 sf
5	16	4720.7653 sf
6	16	4883.2079 sf
7	16	5044.3161 sf
8	16	5141.8609 sf
9	16	5173.5623 sf
10	16	5139.5812 sf
11	16	5039.7452 sf
12	16	4879.5114 sf
13	16	4771.4281 sf
14	16	7076.2945 sf
15	16	8095.1084 sf
16	16	7201.4685 sf
17	16	4741.9169 sf
18	16	4595.4948 sf
TRACT XX	16	25578.0111 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	17	4919.8697 sf
2	17	4950.6311 sf
3	17	4945.4720 sf
4	17	4970.2100 sf
5	17	5024.6915 sf
6	17	5015.2543 sf
7	17	4959.1674 sf
8	17	4920.1122 sf
9	17	4943.7224 sf
10	17	4946.0052 sf
11	17	4927.0608 sf
12	17	5022.6707 sf
13	17	4970.2529 sf
14	17	5685.7411 sf
15	17	5894.6758 sf
16	17	5882.8307 sf
17	17	5764.8893 sf
18	17	5676.2045 sf
19	17	5616.5345 sf
20	17	5503.7323 sf
21	17	5431.7104 sf
22	17	5453.2561 sf
23	17	5527.3913 sf
24	17	5558.2902 sf
25	17	5545.8751 sf
26	17	5470.9077 sf
TRACT VV	17	1649.1286 sf
TRACT WW	17	3351.2814 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	18	5179.9224 sf
2	18	5202.1379 sf
3	18	5202.2733 sf
4	18	5202.3065 sf
5	18	5208.5652 sf
6	18	5149.9731 sf
7	18	5035.3740 sf
8	18	4972.0903 sf
9	18	4934.4372 sf
10	18	4922.0789 sf
11	18	4919.1665 sf
12	18	5527.2203 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
13	18	5693.7393 sf
14	18	5778.4218 sf
15	18	5846.3617 sf
16	18	5920.5701 sf
17	18	5992.8997 sf
18	18	6065.2291 sf
19	18	6101.3938 sf
20	18	6101.3938 sf
21	18	6101.3938 sf
TRACT TT	18	2519.2739 sf
TRACT UU	18	1657.1140 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	19	7160.0445 sf
2	19	6823.6383 sf
3	19	7150.9750 sf
4	19	7806.2761 sf
5	19	7902.1721 sf
6	19	7975.1837 sf
7	19	8026.8892 sf
8	19	6610.6511 sf
9	19	6026.0941 sf
10	19	6050.0000 sf
11	19	6294.2316 sf
12	19	7074.2476 sf
13	19	8035.1272 sf
14	19	8206.2617 sf
15	19	7969.4418 sf
16	19	7157.4397 sf
17	19	6352.3753 sf
18	19	6050.0204 sf
19	19	6046.3626 sf
TRACT KK	19	7874.8084 sf
TRACT QQ	19	8248.6882 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
1	20	8246.0287 sf
2	20	6078.1694 sf
3	20	6561.1584 sf
4	20	6756.5856 sf
5	20	6756.5856 sf
6	20	6756.5856 sf
7	20	6756.5856 sf
8	20	6756.5856 sf
9	20	6756.5856 sf
10	20	6756.5856 sf
11	20	6561.1584 sf
12	20	6050.0000 sf
13	20	6050.0000 sf
14	20	6798.0967 sf
15	20	6500.0000 sf
16	20	6500.0000 sf
17	20	6500.0000 sf
18	20	6500.0000 sf
19	20	7476.0941 sf
20	20	7491.8488 sf
21	20	6300.2369 sf
22	20	7378.1645 sf
23	20	7667.1957 sf
24	20	8084.4007 sf
25	20	8289.3137 sf
26	20	8289.4814 sf
27	20	8085.1424 sf
28	20	7668.3131 sf
29	20	7180.6507 sf
30	20	6374.0732 sf
31	20	8614.2877 sf
TRACT LL	20	2244.3868 sf
TRACT NN	20	6996.4686 sf
TRACT PP	20	10405.2490 sf
TRACT RR	20	1139.7798 sf

Parcel Area Table

Lot No.	Block No.	Area (sf)
TRACT AAA	N/A	1016.4942 sf

Parcel Line Table

Line #	Direction	Length
L1	N20°40'14"E	2.84
L2	N01°31'23"E	4.29
L3	N14°27'00"E	38.65
L4	N20°09'23"E	19.41
L5	N46°41'24"E	12.61
L6	S46°41'24"W	10.25
L7	S83°37'56"E	125.92
L8	S89°42'42"E	45.08
L9	S00°17'18"W	12.00
L11	N89°42'33"W	13.00
L12	S46°41'50"W	21.37
L13	N43°16'50"W	92.32

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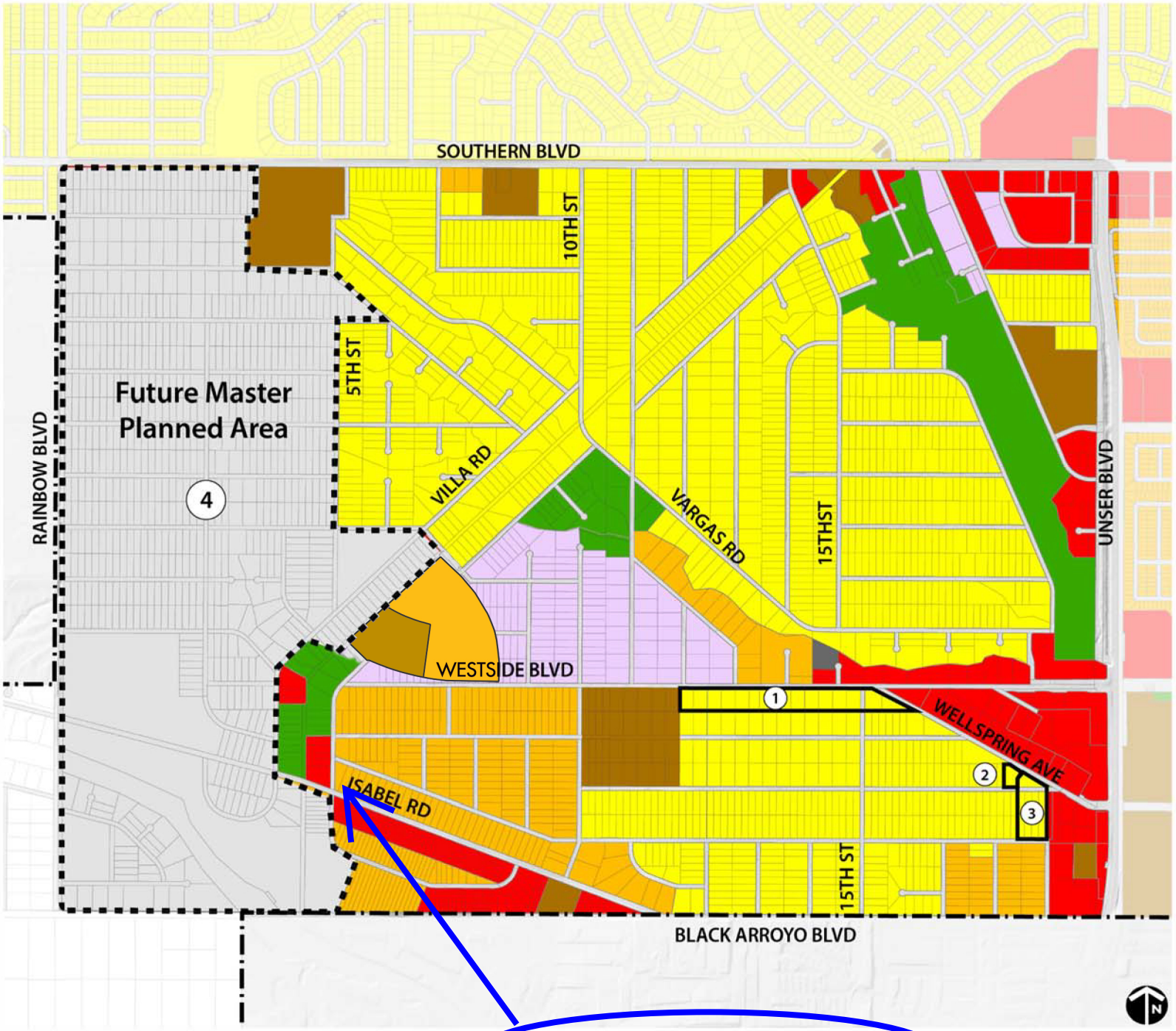
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Book 33 Page 67

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UNIT 10 SPECIFIC AREA PLAN

GENERALIZED LAND USE, PROPOSED CHANGE AREAS

LEGEND

LAND USE CATEGORY

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- Industrial, Business Park, Warehouse
- Civic, School, Church
- Parks, Open Space, Drainage
- Utility
- Future Master Planned Area

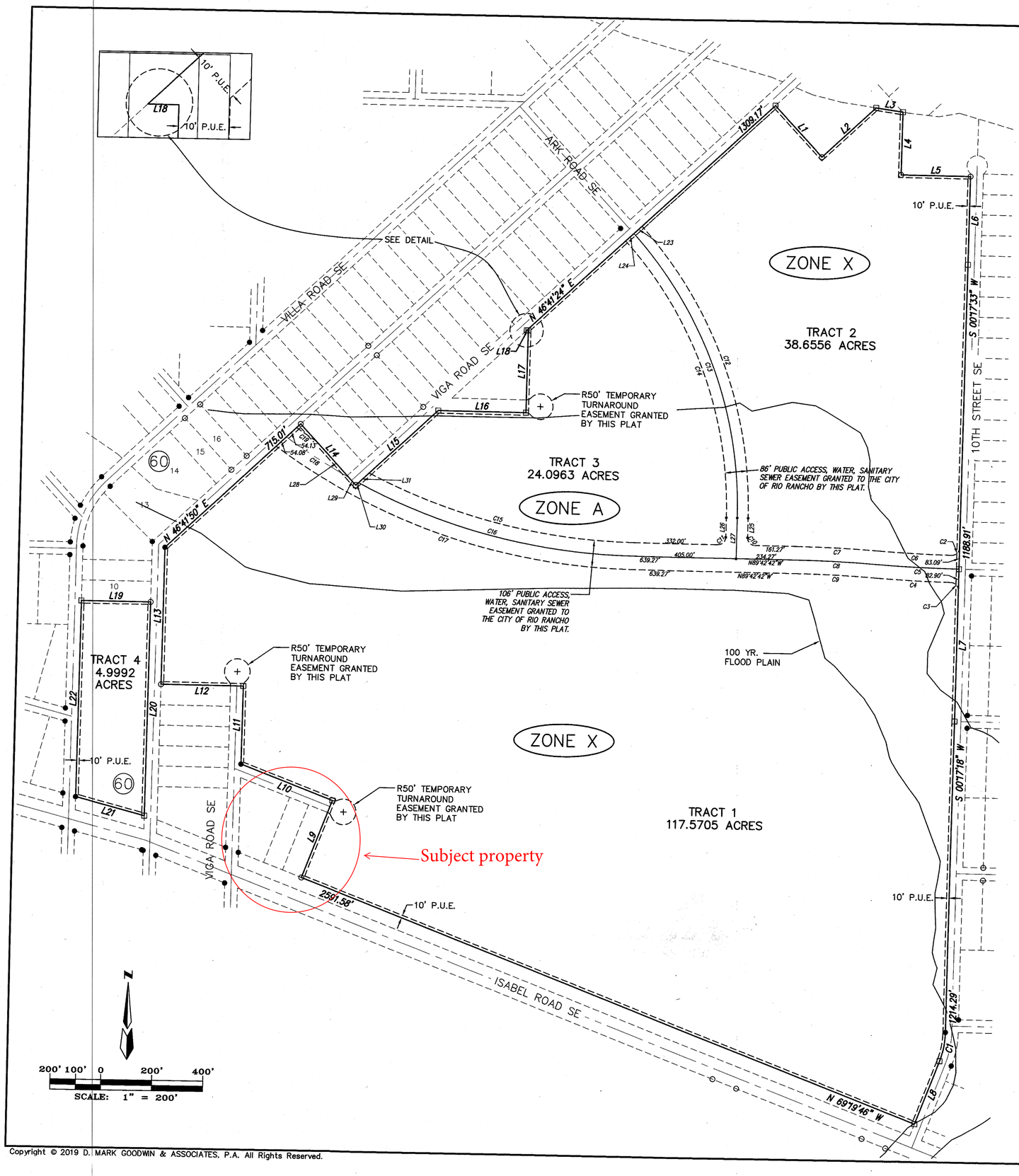
PROPOSED CHANGE AREAS

1. Change to *Neighborhood Commercial* to provide transition area with office. See page 27.
2. Identify as *Neighborhood Commercial* reflecting Unser Pavilion West Plan.
3. Identify as *Community Commercial* reflecting Unser Pavilion West Plan.
4. Change to *Future Master Planned Area*. See page 28 for description of the land uses in this area.

Lots 63-68, Block 10, LD2

SUMMARY PLAT OF TRACTS 1, 2, 3 & 4 LOS DIAMANTES SUBDIVISION

BEING A REPLAT OF
LOTS 27-42, BLOCK 18; LOTS 1-9, BLOCK 60;
LOTS 7-15, BLOCK 62; LOTS 1-14 & 16,17 & 18-25, BLOCK 64;
LOTS 1-41, BLOCK 65; LOTS 1-28, BLOCK 66;
LOTS 1-31, BLOCK 67; LOTS 1-36, BLOCK 68;
LOTS 1-16, BLOCK 69; LOTS 1-17, BLOCK 70;
LOTS 1-22, BLOCK 71; LOTS 1-27, BLOCK 72;
LOTS 4-35, BLOCK 73;
TOGETHER WITH
PORTION OF 17th AVENUE SE, 18th AVENUE SE, 19th AVENUE SE, 20th AVENUE SE, VIGA ROAD SE, FRYE ROAD SE, IGUANA ROAD SE, 7th STREET SE, 8th STREET SE AND 9th STREET SE, OF THE NORTHERLY PORTION, SOUTHWESTERLY PORTION, UNIT TEN, RIO RANCHO ESTATES
WITHIN THE
TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, NMPM
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
APRIL, 2019



Parcel Line Table		
Line #	Direction	Length
L1	S43°18'36"E	272.25
L2	N46°41'24"E	286.57
L3	S81°53'59"E	106.07
L4	S00°16'01"W	245.48
L5	S89°45'24"E	272.46
L6	S00°17'59"W	345.13
L7	S00°17'46"W	594.61
L8	S20°40'14"W	263.28
L9	N20°40'14"E	322.61
L10	N69°21'02"W	386.40
L11	N00°17'31"E	305.08

Parcel Line Table		
Line #	Direction	Length
L12	N89°42'33"W	322.34
L13	N00°17'47"E	533.73
L14	S43°16'50"E	322.30
L15	N46°41'24"E	433.83
L16	S89°45'13"E	344.83
L17	N00°15'41"E	322.16
L18	N89°45'20"W	6.10
L19	S89°42'00"E	272.32
L20	S00°17'47"W	834.33
L21	N75°23'23"W	281.10
L22	N00°18'00"E	764.85

Parcel Curve Table					
Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	325.00'	115.61'	20°22'51"	S10°28'49"W	115.00'

○ – FOUND 3/8" REBAR
● – FOUND 3/4" PIPE
□ – SET 1/2" REBAR WITH CAP "LS 7719"

Easement Line Table		
Line #	Direction	Length
L23	N46°41'24"E	17.99'
L24	N46°41'24"E	24.99'
L25	S00°17'18"W	76.74'
L26	S00°17'18"W	76.74'
L27	N00°17'18"E	159.74'

Easement Line Table		
Line #	Direction	Length
L28	N43°16'50"W	187.95'
L29	N43°16'50"W	42.03'
L30	N46°41'24"E	14.53'
L31	S46°41'24"W	56.33'

Easement Curve Table						
Curve #	Radius	Length	Delta	Tangent	Chord Direction	Chord Length
C2	30.00'	47.31'	090°21'08"	30.18'	S45°28'05"W	42.56'
C3	30.00'	46.95'	089°39'48"	29.82'	S44°32'08"E	42.30'
C4	5053.00'	293.89'	003°19'57"	146.99'	N87°42'04"W	293.85'
C5	4996.50'	320.32'	003°40'23"	160.21'	N87°52'13"W	320.26'
C6	4947.00'	286.74'	003°19'15"	143.41'	N87°41'44"W	286.70'
C7	5053.00'	324.25'	003°40'36"	162.18'	N87°52'24"W	324.19'
C8	5000.00'	320.85'	003°40'36"	160.48'	N87°52'24"W	320.79'
C9	4947.00'	317.45'	003°40'36"	158.78'	N87°52'24"W	317.39'
C10	30.00'	47.12'	090°00'00"	30.00'	S44°42'42"E	42.43'
C11	30.00'	47.12'	090°00'00"	30.00'	S45°17'18"W	42.43'
C12	1643.00'	1244.39'	043°23'43"	653.75'	S21°24'33"E	1214.86'
C13	1600.00'	1211.67'	043°23'23"	636.55'	N21°24'24"W	1182.93'
C14	1557.00'	1178.95'	043°23'03"	619.36'	S21°24'13"E	1150.99'
C15	2347.00'	1079.99'	026°21'54"	549.73'	N76°31'45"W	1070.48'
C16	2400.00'	1123.68'	026°49'33"	572.33'	N76°17'55"W	1113.44'
C17	2453.00'	1501.62'	035°04'27"	775.17'	S72°10'29"E	1478.29'
C18	2400.00'	290.41'	006°55'59"	145.38'	S58°21'28"E	290.23'
C19	2347.00'	94.76'	002°18'48"	47.38'	S56°18'48"E	94.75'

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT

NOTES

TRACTS 1, 2, 3 & 4 LOS DIAMANTES SUBDIVISION TO BE OWNED BY LD DEVELOPMENT.

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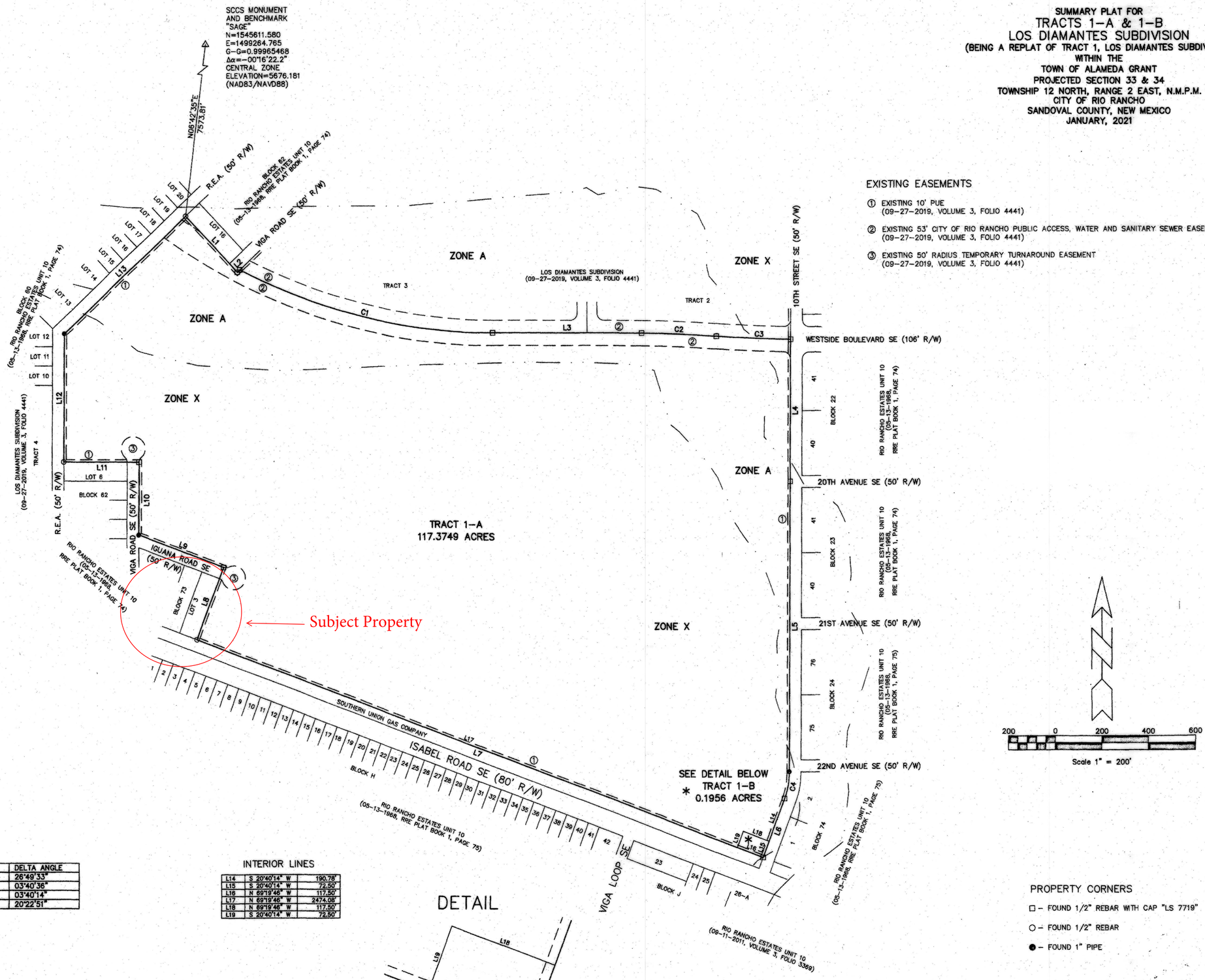
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SUMMARY PLAT FOR
TRACTS 1–A & 1–B
LOS DIAMANTES SUBDIVISION
(BEING A REPLAT OF TRACT 1, LOS DIAMANTES SUBDIVISION)
WITHIN THE
TOWN OF ALAMEDA GRANT
PROJECTED SECTION 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
JANUARY, 2021



EXISTING EASEMENTS

① EXISTING 10' PUE
(09-27-2019, VOLUME 3, FOLIO 4441)

② EXISTING 53' CITY OF RIO RANCHO PUBLIC ACCESS, WATER AND SANITARY SEWER EASEMENT
(09-27-2019, VOLUME 3, FOLIO 4441)

③ EXISTING 50' RADIUS TEMPORARY TURNAROUND EASEMENT
(09-27-2019, VOLUME 3, FOLIO 4441)

BOUNDARY LINES

LINE	BEARING	DISTANCE
L1	S 43°16'50" E	322.30'
L2	N 46°41'24" E	14.53'
L3	S 89°42'42" E	639.27'
L4	S 00°17'46" W	594.64'
L5	S 00°17'18" W	1214.29'
L6	S 20°40'14" W	263.28'
L7	N 69°19'46" W	2591.58'
L8	N 20°40'14" E	322.61'
L9	N 69°21'02" W	386.40'
L10	N 00°17'31" E	305.08'
L11	N 89°42'33" W	322.34'
L12	N 00°17'47" E	533.73'
L13	N 46°41'50" E	715.01'

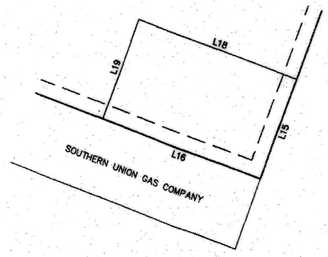
BOUNDARY LINES

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2400.00'	1123.68'	1113.44'	S 76°17'55" E	26°49'33"
C2	5000.00'	320.85'	320.79'	S 87°52'24" E	03°40'36"
C3	5000.00'	320.32'	320.26'	S 87°52'13" E	03°40'14"
C4	325.00'	115.61'	115.00'	S 10°28'49" W	20°22'51"

INTERIOR LINES

L14	S 20°40'14" W	190.78'
L15	S 20°40'14" W	72.50'
L16	N 69°19'46" W	117.50'
L17	N 69°19'46" W	2474.08'
L18	N 69°19'46" W	117.50'
L19	S 20°40'14" W	72.50'

DETAIL



PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"

○ – FOUND 1/2" REBAR

● – FOUND 1" PIPE

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Job No.:	15-010	Sheet:	2 of 2

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RRE BOOK 30 PAGE 84

PRELIMINARY PLAT
FOR
LOS DIAMANTES SUBDIVISION
PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
JULY, 2021

SCCS MONUMENT
AND BENCHMARK
"SAGE"
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E=1499264.765
G-G=0.99965468
$\Delta\alpha$=-00°16'22.2"
CENTRAL ZONE
ELEVATION=5676.181
(NAD83/NAVD88)

N06°42'35"E
757.38'

ZONE A

ZONE X

TRACT 3-A

TRACT 1-A-1
(FUTURE PHASE 2)

LOT 20
LOT 19
LOT 18
LOT 17
LOT 16
LOT 15
LOT 14
LOT 13
LOT 12
LOT 11
LOT 10

BLOCK 60
RIO RANCHO ESTATES UNIT 10
(05-13-1968, RRE PLAT BOOK 1, PAGE 74)

BLOCK 62
RIO RANCHO ESTATES UNIT 10
(05-13-1968, RRE PLAT BOOK 1, PAGE 74)
LOT 16

L14 129.57'
L13 EX 50'
L12 EX 50'
L11
L10 EX 50' R/W
L20 EX 50' R/W
L19
L9

C407
C1
C406
C404
C405
C408

12.00'
321.00'
S89°42'42"E
405.00'
332.00'
147.35'
1152.85'
1226.27'

EXISTING 106' ROW
53'
53'
53'
53'

WESTSIDE BOULEVARD S.E.
IGUANA ROAD S.E.
VIGA ROAD S.E.
ISABEL ROAD S.E.
SOUTHERN UNION GAS COMPANY

LOT 1
BLOCK 73
LOT 2
LOT 3

TRACT 4
LOS DIAMANTES SUBDIVISION
(09-27-2019, VOLUME 3, FOLIO 4441)

RIO RANCHO ESTATES UNIT 10
(05-13-1968,
RRE PLAT BOOK 1, PAGE 74)

Subject property

ALL STREETS AND ROADS SHOWN HEREON ARE HEREBY DEDICATED IN FEE SIMPLE WITH WARRANTY COVENANTS AS PUBLIC RIGHT-OF-WAY

BLOCK H
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
ROW = RIGHT-OF-WAY
A.B.C.W.U.A. = ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY
H.O.A. = HOME OWNERS ASSOCIATION

EXISTING EASEMENTS

[1] EXISTING 10' P.U.E. (9/27/2019, VOLUME 3, FOLIO 4441)

[2] EXISTING 53' PUBLIC UTILITY EASEMENT (P.U.E.) (8/12/2021, VOLUME 3, FOLIO 4734)

[3] EXISTING R50' TEMPORARY TURNAROUND EASEMENT (9/27/2019, VOLUME 3, FOLIO 4441) TO BE VACATED WTH THIS PLAT.

[4] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (05/13/1968, RR PLAT BK 1, PAGE 74) TO BE VACATED WITH THIS PLAT.

PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"
○ – FOUND 1/2" REBAR
● – FOUND 1" PIPE

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

NEW MEXICO GAS COMPANY ENCROACHMENT AGREEMENT

NEW MEXICO GAS COMPANY (NMGC) HAS GRANTED TO THE CITY OF RIO RANCHO THE RIGHT TO ENCROACH UPON THE 50' WIDE GAS LINE EASEMENT RECORDED SEPTEMBER 16, 1930 IN VOL. 3, FOLIO 192 BY MEANS OF THAT ENCROACHMENT AGREEMENT RECORDED JANUARY 27, 2020, AS DOCUMENT NO. 4790021. THIS AGREEMENT ALLOWS THE CITY OF RIO RANCHO TO ENCROACH ONLY TO THE EXTENT OF LOS DIAMANTES BOULEVARD NE ROAD IMPROVEMENTS.

N

100' 50' 0 50' 100'
SCALE: 1" = 100'

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505-884-1990

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Book ___, Page ___

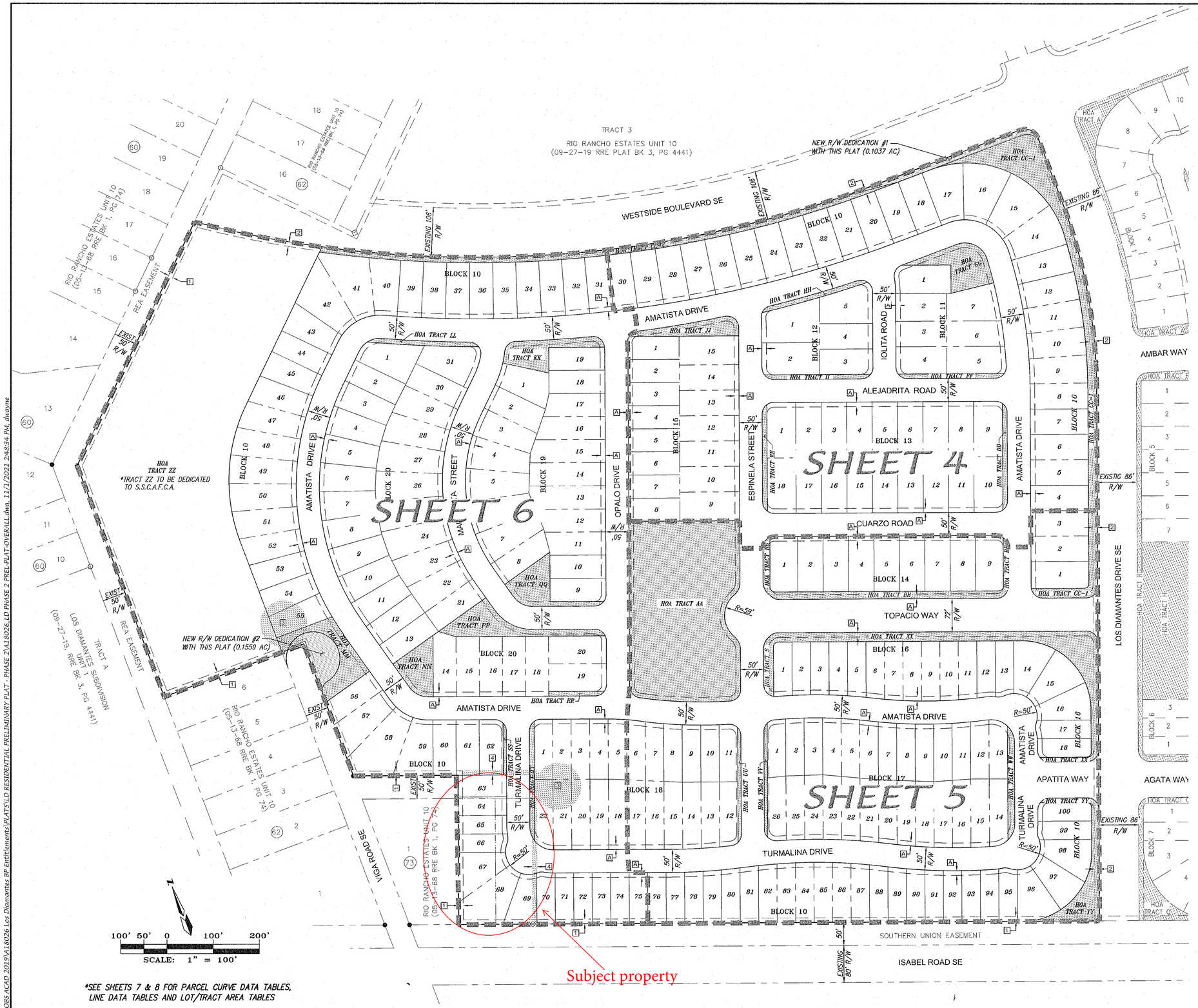
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PRELIMINARY PLAT
FOR
LOS DIAMANTES SUBDIVISION
PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
JULY, 2021



*SEE SHEETS 7 & 8 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT

ROW = RIGHT-OF-WAY

A.B.C.W.U.A. = ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

H.O.A. = HOME OWNERS ASSOCIATION

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[2] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (8/12/2021, VOLUME 3, FOLIO 4734)

[3] EXISTING R50' TEMPORARY TURNAROUND EASEMENT (9/27/2019, VOLUME 3, FOLIO 4441) TO BE VACATED WTH THIS PLAT.

[4] EXISTING 10' PUBLIC UTILITY EASEMENT (P.U.E.) (05/13/1968, RR PLAT BK 1, PAGE 74) TO BE VACATED WITH THIS PLAT.

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PROPERTY CORNERS

□ – FOUND 1/2" REBAR WITH CAP "LS 7719"

○ – FOUND 1/2" REBAR

● – FOUND 1" PIPE

ALL STREETS AND ROADS SHOWN HEREON ARE HEREBY DEDICATED IN FEE SIMPLE WITH WARRANTY COVENANTS AS PUBLIC RIGHT-OF-WAY

NEW MEXICO GAS COMPANY NOTICE

NO SURFACE DISTURBING ACTIVITIES OR ADDITIONAL IMPROVEMENTS WITHIN 25 FEET (HORIZONTAL DISTANCE) OF BOTH HIGH-PRESSURE NATURAL GAS TRANSMISSION PIPELINES, OR WITHIN THE TRANSMISSION PIPELINE EASEMENT, SHALL BE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE NEW MEXICO GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS.

NEW MEXICO GAS COMPANY ENCROACHMENT AGREEMENT

NEW MEXICO GAS COMPANY (NMGC) HAS GRANTED TO THE CITY OF RIO RANCHO THE RIGHT TO ENCROACH UPON THE 50' WIDE GAS LINE EASEMENT RECORDED SEPTEMBER 16, 1930 IN VOL. 3, FOLIO 192 BY MEANS OF THAT ENCROACHMENT AGREEMENT RECORDED JANUARY 27, 2020, AS DOCUMENT NO. 4790021. THIS AGREEMENT ALLOWS THE CITY OF RIO RANCHO TO ENCROACH ONLY TO THE EXTENT OF LOS DIAMANTES BOULEVARD NE ROAD IMPROVEMENTS.

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 3 of 8
Scale: as shown	Date: 7/27/21	Job: A18026	

Book ____, Page ____

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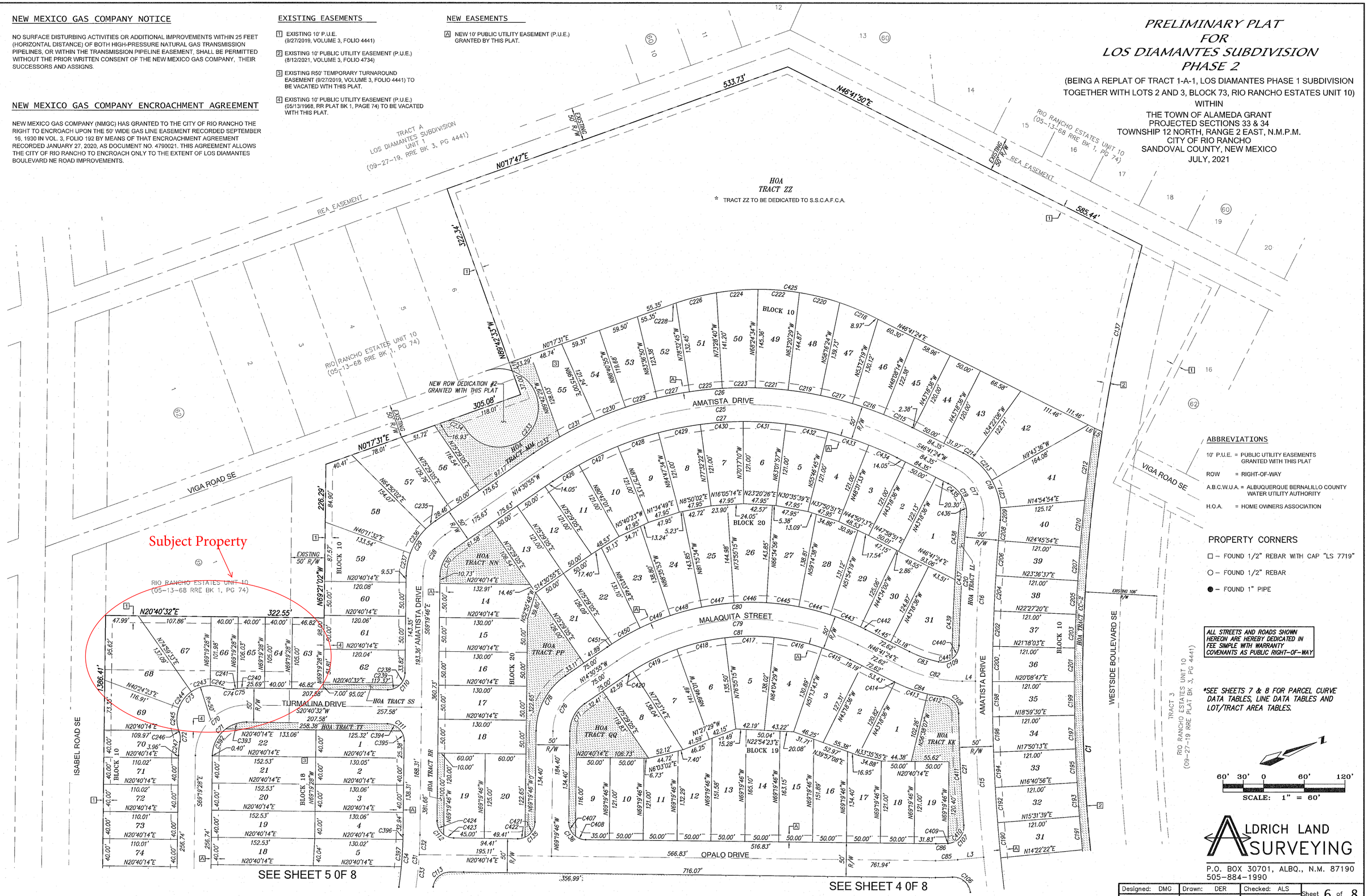
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PRELIMINARY PLAT FOR LOS DIAMANTES SUBDIVISION PHASE 2

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WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
JULY, 2021



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PROPERTY CORNERS

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*SEE SHEETS 7 & 8 FOR PARCEL CURVE DATA TABLES, LINE DATA TABLES AND LOT/TRACT AREA TABLES.

60' 30' 0 60' 120'
SCALE: 1" = 60'

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 6 of 8
Scale: as shown	Date: 7/27/21	Job: A18026	

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Book ____, Page ____

CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION
PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE;
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTIONS 33 & 34
TOWNSHIP 12 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022

SCCS MONUMENT AND BENCHMARK "SAGE"
N=1545611.580
E=1499264.765
G-G=0.99965468
Δα=-00°16'22.2"
CENTRAL ZONE
ELEVATION=5676.181
(NAD83/NAVD88)

N05°42'35"E 757.68'

LOT 20 · LOT 19 · LOT 18 · LOT 17 · LOT 16 · LOT 15 · LOT 14 · LOT 13 · LOT 12 · LOT 11 · LOT 10

BLOCK 62 RIO RANCHO ESTATES UNIT 10 (05-13-1968, RRE PLAT BOOK 1, PAGE 74) LOT 16

N48°41'50"E 129.57'

TRACT 3
RIO RANCHO ESTATES UNIT 10
(09-27-19 RRE PLAT BK 3, PG 4441)

WESTSIDE BOULEVARD S.E.

EXISTING 106' ROW

53' · 53'

C1

S89°42'42"E 332.00'

S01°17'18"W 1473.36'

S20°40'14"W 1152.85'

S3

ZONE A

100 YR FLOOD PLAIN

ZONE X

TRACT 1-A-1
(FUTURE PHASE 2)

BLOCK 60 RIO RANCHO ESTATES UNIT 10 (05-13-1968, RRE PLAT BOOK 1, PAGE 74)

L5 · EX 50'

TRACT 4 LOS DIAMANTES SUBDIVISION (09-27-2019, VOLUME 3, FOLIO 4441)

LOT 6 BLOCK 62

L4 · L3 · EX 50' R/W

RIO RANCHO ESTATES UNIT 10 (05-13-1968, RRE PLAT BOOK 1, PAGE 74)

VIGA ROAD S.E.

L2 · EX 50' R/W

IGUANA ROAD S.E.

Subject Property

EXISTING PROPERTYLINES TO BE ELIMINATED WITH THIS PLAT

LOT 1 · L1 · BLOCK 73 LOT 2 · LOT 3

1386.17'

N69°19'46"W

SOUTHERN UNION GAS COMPANY

ISABEL ROAD S.E.

BLOCK H

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

Parcel Line Table

Line #	Direction	Length
L1	N20°38'54"E	322.55
L2	N69°21'02"W	226.37
L3	N00°17'31"E	305.08
L4	N89°42'33"W	322.34
L5	N00°17'47"E	533.73
L6	N46°41'50"E	585.44

Parcel Curve Table

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	2453.00'	1501.62'	35°04'27"	S72°10'29"E	1478.29'
C2	30.00'	47.12'	90°00'00"	S44°42'42"E	42.43'
C3	1157.00'	411.59'	20°22'56"	S10°28'46"W	409.42'

ABBREVIATIONS

10' P.U.E. = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
ROW = RIGHT-OF-WAY
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[5] PORTION OF EXISTING 50' RIGHT OF WAY TO BE VACATED WITH THIS PLAT.

PROPERTY CORNERS

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○ – FOUND 1/2" REBAR
● – FOUND 1" PIPE

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N

100' 50' 0 50' 100'

SCALE: 1" = 100'

ALDRICH LAND SURVEYING
P.O. BOX 30701, ALBQ., N.M. 87190
505-884-1990

Designed: DMG	Drawn: DER	Checked: ALS	Sheet 2 of 8
Scale: as shown	Date: 11/22/22	Job: A18026	

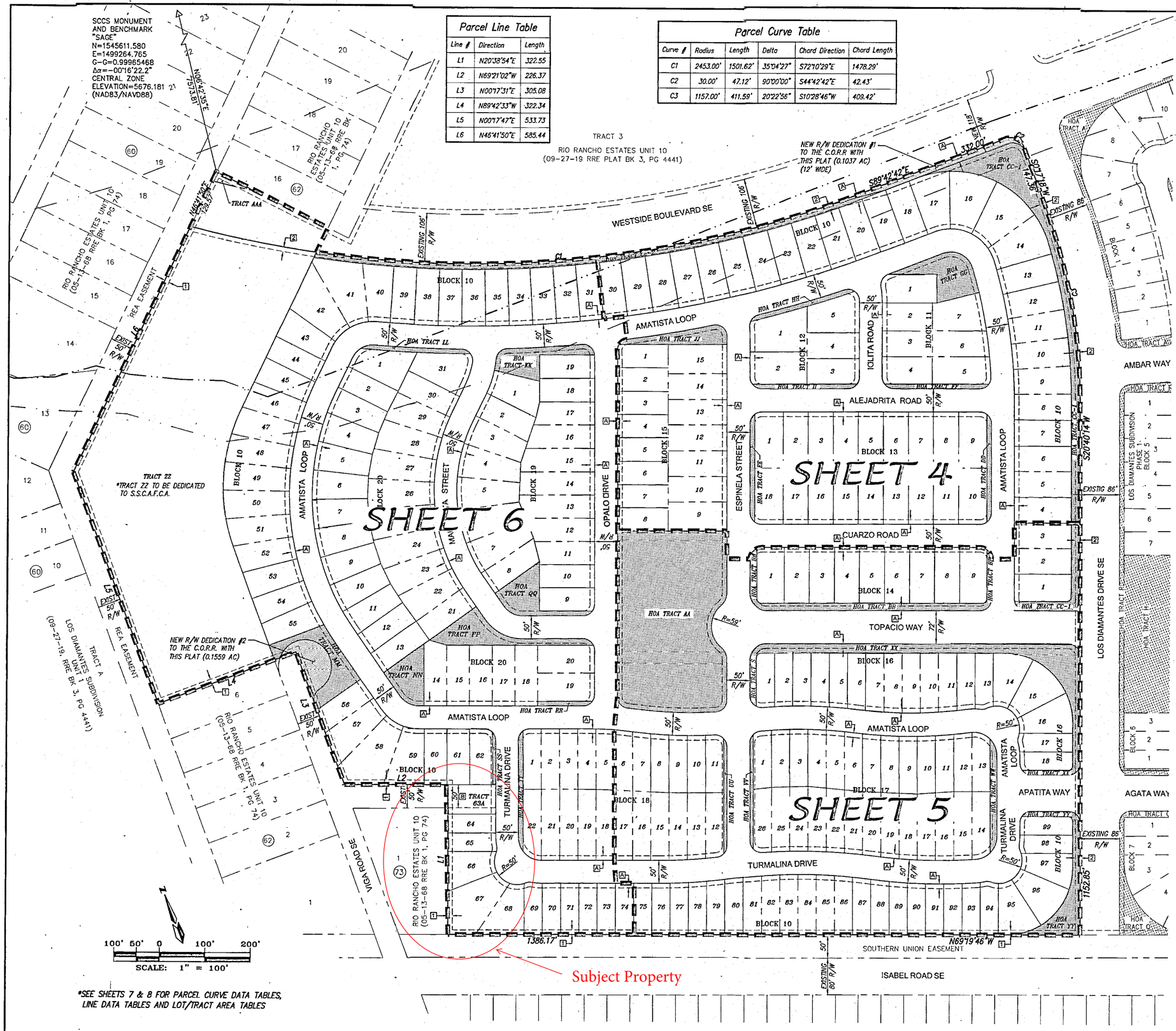
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CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION PHASE 2

(BEING A REPLAT OF TRACT 1-A-1, LOS DIAMANTES PHASE 1 SUBDIVISION TOGETHER WITH LOTS 2 AND 3, BLOCK 73, RIO RANCHO ESTATES UNIT 10 AND A PORTION OF WESTSIDE BLVD NE,
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CITY OF RIO RANCHO
SANDOVAL COUNTY, NEW MEXICO
NOVEMBER, 2022



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NEW EASEMENTS

[A] NEW 10' PUBLIC UTILITY EASEMENT (P.U.E.) GRANTED BY THIS PLAT.

[B] NEW 50' WIDE PUBLIC ACCESS EASEMENT GRANTED BY THIS PLAT WITHIN TRACT 63A THAT IN THE FUTURE WILL BECOME LOT 63.

PROPERTY CORNERS

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Scale: as shown	Date: 11/22/22	Job: A18026	

Book 33 Page 62

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CORRECTION PLAT
FOR
LOS DIAMANTES SUBDIVISION PHASE 2

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TRACT ZZ
* TRACT ZZ TO BE DEDICATED TO S.S.C.A.F.C.A.

TRACT A
LOS DIAMANTES SUBDIVISION UNIT 1
(09-27-19, RRE BK 3, PG 4441)

RIO RANCHO ESTATES UNIT 10
(05-13-68 RRE BK 1, PG 74)

REA EASEMENT

EXISTING 50' R/W

533.73'

585.44'

272.34'

NEW R/W DEDICATION #2 TO THE C.O.R.R. WITH THIS PLAT

AMATISTA LOOP

BLOCK 10

BLOCK 20

BLOCK 19

MALAQUITA STREET

OPALO DRIVE

TURMALINA DRIVE

TRACT 63A

TRACT SS

TRACT AAA

HOA TRACT NN

HOA TRACT FF

HOA TRACT QQ

HOA TRACT KK

VIGA ROAD SE

ISABEL ROAD SE

WESTSIDE BOULEVARD SE

AMATISTA LOOP

Subject Property

SEE SHEET 5 0F 8

SEE SHEET 4 0F 8

TRACT 3
RIO RANCHO ESTATES UNIT 10
(09-27-19 RRE PLAT BK 3, PG 4441)

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CITY OF RIO RANCHO
COVER PAGE

Legislation Item:

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Financial Services

SUBJECT:
Public Hearing for Community Development Block Grant (CDBG) Proposed Amendment to 2018-2022 Consolidated Plan and Action Plans 2020, 2021, 2022

BACKGROUND AND ANALYSIS:

IMPACT:

ALTERNATIVES:

DEPARTMENT RECOMMENDATION:
No action to be taken. Public comment will be taken only.

ATTACHMENT: 0001579419-01.pdf
ATTACHMENT: 0001579420-01.pdf

PUBLIC NOTICE
CITY OF RIO RANCHO COMMUNITY DEVELOPMENT BLOCK GRANT [CDBG]
PROPOSED AMENDED 2018-2022 CONSOLIDATED PLAN & ANNUAL ACTION PLANS 2020, 2021, and 2022
PUBLICATION DATE: October 15, 2023 - PUBLISH IN: ALBUQUERQUE JOURNAL
PUBLIC COMMENT PERIOD: October 15, 2023 – November 16, 2023

The City of Rio Rancho publishes for public comment the Proposed Amended 2018-2022 Consolidated Plan & Annual Action Plans 2020, 2021, and 2022, which will be considered for approval by the Rio Rancho Governing Body on November 16, 2023. The City of Rio Rancho is proposing to recapture funding from Community Development Block Grant [CDBG] projects with unexpended balances and reprogram the funds to projects ready for implementation.

A Public Hearing will be held to receive citizen input at:

Public Hearing Location	Date	Time
Rio Rancho City Council Chambers 3200 Civic Center Circle NE Rio Rancho, NM 87144	Thursday, November 16, 2023	6:00 PM

The public comment period for the amendment referenced above is October 15, 2023 – November 16, 2023. A summary of all comments received during the public comment period will be provided to the Rio Rancho Governing Body before their action on November 16, 2023.

Persons are welcome to provide public comments prior to, at, or after the scheduled hearing. If you are unable to attend the public hearing, written comments on the Proposed Amended 2018-2022 Consolidated Plan & Annual Action Plans 2020, 2021, and 2022 must be received by 5:00 pm on November 16, 2023, at:
City of Rio Rancho, Financial Services Department
3200 Civic Center Circle NE, Suite 300, Rio Rancho, NM 87144
Telephone 505-896-8766; Email: domartinez@rrnm.gov

RIO RANCHO, NEW MEXICO – PROPOSED AMENDED ACTION PLANS 2020, 2021, and 2022
The table below identifies the project details for recaptured funding and proposed project details for reprogramming those funds for rapid implementation for the Community Development Block Grant (CDBG) program.

Community Development Block Grant					
Year	**Grant**	**Organization**	**Activity**	**Project Description**	**Amount**
2020	CDBG	City of Rio Rancho	Public Facilities	City-Wide ADA Ramp Project Phase II	($49,129.96)
2021	CDBG	Rio Rancho Department of Financial Services	Administration	Planning & Administration	($18,314.91)
2021	CDBG	City of Rio Rancho	Public Facilities	CORR ADA Ramp Remediation	($0.07)
2021	CDBG	Sandoval County	Public Services	Sandoval County Permanent Supportive Housing	($9,923.00)
2022	CDBG	Rio Rancho Department of Financial Services	Administration	Planning & Administration	($18,060.71)
2022	CDBG	Haven House	Public Facilities	Haven House Cinder Block Wall Security Improvement	($12,206.15)
				Proposed CDBG Recaptured Funding:	($107,634.80)
2020	CDBG	City of Rio Rancho	Public Facilities	American's with Disabilities Act Ramp Remediation	$49,129.96
2021	CDBG	City of Rio Rancho	Public Facilities	American's with Disabilities Act Ramp Remediation	$28,237.98
2022	CDBG	City of Rio Rancho	Public Facilities	American's with Disabilities Act Ramp Remediation	$30,266.86
				Proposed CDBG Reprogrammed Funding:	$107,634.80

Section 504 - Rehabilitation Act of 1973 and Americans With Disabilities Act of 1990 [ADA], As Amended
Rio Rancho does not discriminate based on disability in the admission or access to, or treatment or employment in, its programs or activities. Any requests for reasonable accommodations required by individuals to participate in an open meeting, program, or activity of the City of Rio Rancho Community Development Block Grant [CDBG] should be directed to Rio Rancho Financial Services Department located at, 3200 Civic Center Circle NE, Suite 300, Rio Rancho, NM 87144. Telephone 505-896-8766; Email: domartinez@rrnm.gov.

Fair Housing Act of 1968, As Amended, Section 800 Accommodations, and Federal Register, Feb. 3, 2012; Page 5662 In an ongoing effort to provide housing services and activities in a nondiscriminatory manner, Rio Rancho has a strong commitment to affirmatively furthering fair housing by working to ensure that equal housing opportunities and access to HUD grant-funded programs, projects, and activities are available for all persons, regardless of race, color, national origin, religion, age, sex, familial status, marital status, sexual orientation, gender identity, or disability. If you think your rights have been violated, please contact the the City of Rio Rancho Financial Services Department located at, 3200 Civic Center Circle NE, Suite 300, Rio Rancho, NM 87144; Telephone 505-896-8766; Email: domartinez@rrnm.gov.

NOTICIA PÚBLICA

SUBVENCIÓN EN BLOQUE PARA DESARROLLO COMUNITARIO DE LA CIUDAD DE RIO RANCHO [CDBG]
PLAN CONSOLIDADO PROPUESTO ENMENDADO 2018-2022 Y PLANES DE ACCIÓN ANUALES 2020, 2021 y 2022
FECHA DE PUBLICACIÓN: 15 de Octubre de 2023 - PUBLICAR EN: REVISTA DE ALBUQUERQUE
PERIODO DE COMENTARIOS PÚBLICOS: 15 de Octubre de 2023 – 16 de Noviembre de 2023

La Ciudad de Rio Rancho publica para comentario público el Plan Consolidado 2018-2022 y los Planes de Acción Anuales 2020, 2021 y 2022 enmendados propuestos, que serán considerados para su aprobación por el Órgano Rector de Rio Rancho el 16 de Noviembre de 2023. La Ciudad de Rio Rancho propone recuperar fondos de proyectos de subvenciones en bloque para el desarrollo comunitario [CDBG] con saldos no utilizados y reprogramar los fondos para proyectos listos para su implementación.

Se llevará a cabo una audiencia pública para recibir comentarios de los ciudadanos en:

Audiencia pública Lugar Fecha Hora
Cámaras del Concejo Municipal de Río Rancho
3200 Círculo del Centro Cívico NE
Río Rancho, NM 87144 Jueves,
16 de Noviembre de 2023 6:00 pm.

El período de comentarios públicos para la enmienda mencionada anteriormente es del 15 de Octubre de 2023 al 16 de Noviembre de 2023. Se proporcionará al Órgano Rector de Rio Rancho un resumen de todos los comentarios recibidos durante el período de comentarios públicos antes de su acción el 16 de Noviembre de 2023.

Las personas pueden hacer comentarios públicos antes, durante o después de la audiencia programada. Si no puede asistir a la audiencia pública, los comentarios por escrito sobre el Plan Consolidado Propuesto Enmendado 2018-2022 y los Planes de Acción Anuales 2020, 2021 y 2022 deben recibirse antes de las 5:00 p.m. del 16 de Noviembre de 2023, en:
Ciudad de Rio Rancho, Departamento de Servicios Financieros
3200 Civic Center Circle NE, Suite 300, Rio Rancho, NM 87144
Teléfono 505-896-8766; Correo electrónico: domartinez@rrnm.gov

RIO RANCHO, NUEVO MÉXICO – PLANES DE ACCIÓN ENMENDADOS PROPUESTOS 2020, 2021 y 2022
La siguiente tabla identifica los detalles del proyecto para la financiación recuperada y los detalles del proyecto propuesto para reprogramar esos fondos para una rápida implementación del programa de Subvención en Bloque para el Desarrollo Comunitario

Community Development Block Grant					
Year	**Grant**	**Organization**	**Activity**	**Project Description**	**Amount**
2020	CDBG	City of Rio Rancho	Public Facilities	City-Wide ADA Ramp Project Phase II	($49,129.96)
2021	CDBG	Rio Rancho Department of Financial Services	Administration	Planning & Administration	($18,314.91)
2021	CDBG	City of Rio Rancho	Public Facilities	CORR ADA Ramp Remediation	($0.07)
2021	CDBG	Sandoval County	Public Services	Sandoval County Permanent Supportive Housing	($9,923.00)
2022	CDBG	Rio Rancho Department of Financial Services	Administration	Planning & Administration	($18,060.71)
2022	CDBG	Haven House	Public Facilities	Haven House Cinder Block Wall Security Improvement	($12,206.15)
				Proposed CDBG Recaptured Funding:	($107,634.80)
2020	CDBG	City of Rio Rancho	Public Facilities	American's with Disabilities Act Ramp Remediation	$49,129.96
2021	CDBG	City of Rio Rancho	Public Facilities	American's with Disabilities Act Ramp Remediation	$28,237.98
2022	CDBG	City of Rio Rancho	Public Facilities	American's with Disabilities Act Ramp Remediation	$30,266.86
				Proposed CDBG Reprogrammed Funding:	$107,634.80

Sección 504 - Ley de Rehabilitación de 1973 y Ley de Estadounidenses con Discapacidades de 1990 [ADA], según enmendada

Rio Rancho no discrimina por motivos de discapacidad en la admisión, el acceso, el tratamiento o el empleo en sus programas o actividades. Cualquier solicitud de adaptaciones razonables requeridas por personas para participar en una reunión abierta, programa o actividad de la Subvención en Bloque para el Desarrollo Comunitario [CDBG] de la Ciudad de Rio Rancho debe dirigirse al Departamento de Servicios Financieros de Rio Rancho ubicado en 3200 Civic Center Circle NE, Suite 300, Río Rancho, NM 87144. Teléfono 505-896-8766; Correo electrónico: domartinez@rrnm.gov.

Ley de Vivienda Justa de 1968, modificada, Adaptaciones de la Sección 800 y Registro Federal, 3 de febrero de 2012; Página 5662

En un esfuerzo continuo por brindar servicios y actividades de vivienda de manera no discriminatoria, Rio Rancho tiene un fuerte compromiso de promover afirmativamente la vivienda justa trabajando para garantizar que la igualdad de oportunidades de vivienda y el acceso a programas, proyectos y actividades financiados con subvenciones de HUD estén disponibles para todos. todas las personas, independientemente de su raza, color, origen nacional, religión, edad, sexo, estado familiar, estado civil, orientación sexual, identidad de género o discapacidad. Si cree que se han violado sus derechos, comuníquese con el Departamento de Servicios Financieros de la Ciudad de Rio Rancho ubicado en 3200 Civic Center Circle NE, Suite 300, Rio Rancho, NM 87144; Teléfono 505-896-8766; Correo electrónico: domartinez@rrnm.gov.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O27

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Development Services

SUBJECT:
O27, Ordinance Amending Chapter 154, Planning and Zoning, to Create Section 154.79 Condominium Declarations; Providing for Severability and an Effective Date

BACKGROUND AND ANALYSIS:
The applicant, City of Rio Rancho, seeks to amend Chapter 154, Planning and Zoning, for the creation of Section 154.79 Condominium Declarations.

Currently, the City Code of Ordinances (R.O. 2003) does not contain specific language relating to condominium declarations and regulations. Condominiums, along with all housing types, in the City must conform to City zoning regulations, including density requirements, setbacks, building heights, and other restrictions in Chapter 154.

City staff have encountered a rise in condominium inquiries. To fully answer the queries, staff reviewed State statute provisions for condominium development. State statute allows for local governments to require written confirmation that condominium developments meet local zoning regulations prior to recording of the condominium declarations. As a proactive action to ensure the properly regulated and guided development of condominiums, staff are recommending adoption of this text amendment to Chapter 154.

New Mexico Statutes Annotated 1978 (NMSA 1978) adopted, as amended, the "Condominium Act" in 1980 applying to all condominiums created within the State of New Mexico after the effective date of that act. The Condominium Act is found in Chapter 47, Article 7A through 7D in NMSA 1978. The Condominium Act provides for regulations of the creation, alteration, termination, management and protection of condominiums.

Section 47-7A-6 of NMSA 1978 provides for the applicability of local ordinances, regulations and building codes for condominiums, stating:
"No provision of the Condominium Act invalidates or modifies any provision of any zoning, subdivision, building code or other real estate use law, ordinance or regulation; provided, however, a zoning, subdivision, building code or other real estate use law, ordinance or regulation may not prohibit the condominium form of ownership or impose any requirement upon a condominium which it would not impose upon the same development under a different form of ownership."

Section 47-7B-5(13) of NMSA 1978 allows for local ordinances to require that written confirmation from the local zoning official that condominiums comply with the zoning density requirements of local zoning and subdivision ordinances or regulations as required in NMSA 1978 Section 47-7A-6, to be contained in the declaration of condominium.

R.O. 2003 does not currently include the requirement to obtain written confirmation from the local zoning official, as allowed under NMSA 1978 Section 47-7B-5(13). City staff recommend the Governing Body find that the addition of this requirement is permitted under State statute, and shall be required prior to condominium declarations recording with the appropriate county in which any portion of the condominium is located.

The written confirmation would be in the form of a zoning certification. Zoning certifications review the site plan, density, zoning, and researches if there are any variances associated with the property.

Staff recommends the Governing Body finds that the proposed text amendment protects zoning density requirements and regulations, and all other applicable zoning regulations, while still fostering a diversity of housing options. The proposed text amendment is consistent with the health, safety, morals, and general welfare of the City by protecting the requirements and regulations listed above through the zoning certification requirement and encouraging housing diversity in the City.

The Planning and Zoning Board is scheduled to review this text amendment and provide recommendation at its November 14, 2023, meeting.

IMPACT:

The recommendation is for the Governing Body to adopt the proposed text amendment, subject to the findings set forth below:

General Findings of Fact:
1. The City of Rio Rancho has the authority to make an application to request an amendment to R.O. 2003 Chapter 154 Planning and Zoning.
2. The Planning and Zoning Board has the authority to provide a recommendation to the Governing Body for the amendment of R.O. 2003 Chapter 154 Planning and Zoning.
3. The applicant and affected property owners received due process, as proper notice and an opportunity to present views was given.

Specific Findings of Fact:
1. The proposed text amendment to amend R.O. 2003, Chapter 154 Planning and Zoning, for the creation of Section 154.79 Condominium Declarations is consistent with the health, safety, and welfare of the City of Rio Rancho.
2. The proposed text amendment is consistent with the provisions of New Mexico Statutes Annotated 1978, Chapter 47, Article 7A -7D "Condominium Act".

ALTERNATIVES:

1. The Governing Body may approve the request;
2. The Governing Body may deny the request;
3. The Governing Body may modify the request and approve such modifications;
4. The Governing Body may continue the public hearing to request additional information or to consider testimony provided at the public hearing. .

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Ordinance.

ATTACHMENT: Ordinance
ATTACHMENT: 2023-1116 GB Legal Ad

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE AMENDING CHAPTER 154, PLANNING AND ZONING, TO CREATE SECTION 154.79 CONDOMINIUM DECLARATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: the Governing Body of the City of Rio Rancho has adopted zoning regulations and an official zone map in accordance with New Mexico Statutes Annotated 1978 (NMSA 1978) Chapter 3, Article 21; and

WHEREAS: Chapter 47, Article 7A of NMSA 1978 was adopted as amended in 1980, as the "Condominium Act" applying to all condominiums created within this state after the effective date of that act; and

WHEREAS: NMSA 1978 47-7A-6 provides for the applicability of local ordinances, regulations and building codes for condominiums; and

WHEREAS: NMSA 1978 47-7B-5(13) allows for local ordinance to require the written confirmation from the local zoning official that condominiums comply with the zoning density requirements of local zoning and subdivision ordinances or regulations as required in NMSA 1978 Section 47-7A-6; and

WHEREAS: in order to protect zoning density requirements, subdivision ordinances and regulations, while fostering a diversity of housing options, the Governing Body has determined that written confirmation from the local zoning official is appropriate prior to recording of condominium declarations with the appropriate county; and

WHEREAS: in accordance with Rio Rancho Code of Ordinances (R.O. 2003) Section 33.15 (C) (2) (f) on November 14, 2023, the City of Rio Rancho Planning and Zoning Board reviewed the proposed amendment in a duly noticed public hearing regarding the proposed changes, and made recommendations to the Governing Body regarding adoption of the changes; and

WHEREAS: the Governing Body received a report from the Planning and Zoning Board, and such report indicates the Planning and Zoning Board has studied and considered the proposed changes; and

WHEREAS: public hearings occurred, in accordance with procedures set forth in R.O. 2003 Section 150.07, and NMSA 1978 Section 3-21-6, on the proposed text amendment hereinafter described were duly advertised and held by the Governing Body of the City of Rio Rancho on November 16, 2023 (First Reading) and December 14, 2023 (Second and Final Reading), and the Governing Body heard interested parties and citizens for and against

the proposed text amendment; and

WHEREAS: the proposed text amendment to be adopted by this Ordinance complies with the statutory and regulatory requirements of the aforesaid Code of Ordinances and Statutes, and upon specific findings and determination that the proposed text amendment is consistent with the policies and criteria set forth in R.O. 2003, the Governing Body finds that the text amendment promotes the health, safety, morals, and general welfare of the City.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. Section 154.79 CONDOMINIUM DECLARATIONS is hereby added to Chapter 154 as the following:

154.79 Condominium Declarations.

All newly formed condominiums or amended and restated condominiums located within the municipal boundaries of the City shall obtain a written zoning certification letter from the Director of Development Services or their designee that said condominium complies with the local zoning and density requirements, as required in NMSA Section 47-7A-6 of the Condominium Act. Pursuant to NMSA 1978 47-7B-5(13), the written zoning certification shall be obtained prior to any formal condominium declaration is recorded in each county in which any portion of the condominium is located and shall be included as a part of any such declaration.

Section 2. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 3. Compiling Clause. This Ordinance shall be incorporated in and compiled as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

Section 4. Effective Date. This Ordinance shall become effective shall become effective ten days after adoption.

ADOPTED THIS _____ DAY OF _____, 2023.

_____

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
PUBLIC HEARING NOTICE

The GOVERNING BODY of the CITY OF RIO RANCHO, NM, will consider the following matter at its regularly scheduled meeting on Thursday, November 16, 2023 at 6:00 pm:

Text Amendment
Case #23-105-00004
The applicant, City of Rio Rancho, requests a text amendment to amend Rio Rancho Code of Ordinances (R.O. 2003) Title III Administration, Chapter 36, to establish the Affordable Housing Ordinance under Section 36.130. This is the first reading of the proposed text amendment.

Text Amendment
Case #23-105-00005
The applicant, City of Rio Rancho, is requesting approval of a Text Amendment to Chapter 154 Planning and Zoning, Section 154.79 for the addition of a "Condominium Declaration Requirements" section.

Zone Map Amendment
Case #23-100-00007
The applicant, City of Rio Rancho, seeks a Zone Map Amendment for Lots 63-68 of Block 10, Los Diamantes Phase 2 from R-1: Single--Family Residential District to R-3: Mixed Residential District. The subject Lots comprise approximately 0.94 acres.

The meeting is scheduled in the Council Chambers at City Hall, 3200 Civic Center Cir NE, Rio Rancho, NM. The public is invited to attend in person or virtually at www.rrnm.gov. Materials related to these items are available for viewing in the Development Services Department at City Hall.

If you would like to comment on any of these applications, you are encouraged to submit a written comment to planning@rrnm.gov Written comments will be inserted into the public record.

Journal: November 1, 2023

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O28

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Development Services

SUBJECT:
O28, Ordinance Amending Chapter 36, Finance and Revenue, for the Creation of Section 36.130, Affordable Housing Ordinance; Providing for Severability and an Effective Date

BACKGROUND AND ANALYSIS:
Funding was allocated in 2021 to develop an Affordable Housing Study in response to growing concerns surrounding rising home sales prices and rents and lack of options. The National Development Council (NDC) was chosen as the consultant to help identify local housing needs as well as the tools and strategies that may be used to meet those needs.

A steering committee was created with members from the local business-owner community, realtors, developers, and non-profit affordable housing entities. Rada Moss, from the Capital Improvements Plan Citizen's Advisory Committee (CIPCAC), served as the committee Chair, and Gordon Moore, of Lectrosonics, served as the committee Vice-Chair. The committee guided the development and deployment of the Affordable Housing Survey.

NDC conducted the survey of Rio Rancho residents in June 2022 to gather information on the public's perception on housing needs within the City. In total, the survey garnered 674 responses. The overwhelming response from the survey data was that residents felt that access to affordable housing is a problem in Rio Rancho (75% of survey respondents agreed or strongly agreed).

Four public forum meetings were held in late September and early October 2022 to further gather citizen input. Rada Moss and Gordon Moore lead the conversations at these public forums along with other steering committee members. The four meetings garnered 64 attendants in total. Sentiments expressed at the public forum meetings echoed the survey data, with citizens explaining their personal difficulties finding affordable housing in Rio Rancho. In particular, housing for seniors, those on fixed-incomes, young families, and single-income professionals just getting into the workforce was described as limited.

The needs assessment was collated into the Affordable Housing Study, which was introduced at the Governing Body work session on August 15, 2023. From the study, the Affordable Housing Plan was drafted.

This Plan went through a review by the New Mexico Mortgage Finance Authority (MFA) to ensure it met the requirements of the Affordable Housing Act. The Plan identifies key opportunities for Rio Rancho to implement strategies that address the conditions that impact the availability and affordability of housing in the City.

The Plan was adopted by Resolution, at the September 28, 2023 Governing Body Meeting.

The accompanying Ordinance, or "enabling legislation," is currently being brought forward for the first reading, and the second reading would occur at the December 14, 2023, Governing Body meeting. Per the Affordable Housing Act (AHA), the Ordinance will create the ability for the City to consider public-private partnerships for affordable housing activities by creating an exception to the anti-donation clause in the New Mexico Constitution. The Ordinance essentially incorporates the Affordable Housing Act definitions and regulations into local City code.

The Adopted Plan and Ordinance will be taken back to the NM MFA for final acceptance at the beginning of 2024. After these two elements are in place, the City will have met the requirements of the Affordable Housing Act and can start considering donations to qualified grantees, for Affordable Housing developments. Donations can take the form of: land for affordable housing construction; an existing building for conversion or renovation into affordable housing; costs of infrastructure necessary to support affordable housing projects; and the cost of acquisition, development, construction, financing, operating or owning affordable housing.

IMPACT:

Staff recommend the Governing Body adopt the Affordable Housing Ordinance, subject to the following findings of fact and conditions of approval:

GENERAL FINDINGS OF FACT:

1. The City of Rio Rancho has the authority to make an application to request an amendment to R.O. 2003 Chapter 36 Finance and Revenue.
2. The applicant has the authority to create and adopt an Affordable Housing Ordinance.
3. The applicant and affected property owners received due process, as proper notice and an opportunity to present views was given.

SPECIFIC FINDINGS OF FACT:

1. The Ordinance is in conformance with the Affordable Housing Act and will be reviewed by the New Mexico Mortgage Finance Authority for final acceptance.

ALTERNATIVES:

1. The Governing Body may approve the request.
2. The Governing Body may deny the request.
3. The Governing Body may modify the request and approve such modifications.
4. The Governing Body may continue the public hearing to request additional information or to consider testimony provided at the public hearing.

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Affordable Housing Ordinance.

ATTACHMENT: Ordinance
ATTACHMENT: R115_-_Signed.pdf

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE OF THE CITY OF RIO RANCHO, NEW MEXICO AMENDING RIO RANCHO CODE OF ORDINANCES TITLE III ADMINISTRATION, CHAPTER 36, TO ESTABLISH THE AFFORDABLE HOUSING ORDINANCE UNDER SECTION 36.XXX, IDENTIFYING CONDITIONS OF DEVELOPMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS: this Ordinance is established pursuant to the Mortgage Finance Authority Act, NMSA 1978 § 58-18-1 et seq. and the Affordable Housing Act, NMSA 1978, §.6–27-1 et seq.; and

WHEREAS: this Ordinance is adopted to implement the City of Rio Rancho's ("City") affordable housing programs in accordance with the New Mexico Constitution, Article IX § 14, the Affordable Housing Act, NMSA 1978, § 6-27-1 et seq. and the Rules adopted pursuant thereto; and

WHEREAS: the City is subject to the New Mexico Affordable Housing Act should it intend to make a donation for purposes of affordable housing development; and

WHEREAS: the City has developed an Affordable Housing Plan (AHP) to comply with the Act rules; and

WHEREAS: the City, in conjunction with the New Mexico Mortgage Finance Authority ("MFA"), has developed an ordinance for incorporation in the City's Municipal Code to implement the provisions of the Affordable Housing Act; and

WHEREAS: the MFA has reviewed and approved of the form and terms of this Ordinance prior to final adoption hereof.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. An Ordinance is hereby adopted to read: Chapter 36.XXX Affordable Housing Ordinance.

Section 2. Short Title. This Ordinance may be cited as the "Affordable Housing Ordinance."

Section 3. Purpose. This Ordinance is adopted to implement the City's Affordable Housing Plan. In accordance with the N.M. Constitution, Article IX, §14, the Affordable Housing Act, NMSA 1978, §6-27-1 et seq. and the Rules adopted pursuant thereto, and MFA Rules, the purpose of the Affordable Housing Ordinance is to:

(A) Establish procedures to ensure that local housing assistance grantees are Qualifying Grantees who meet the requirements of the Act and the Rules promulgated pursuant to the Act both at the time of the award and throughout the term of any grant or loan under the Program;

(B) Establish an application and award timetable for local housing assistance grants or loans to permit the selection of the Qualifying Grantee(s).

(C) In conjunction with the MFA, create an evaluation process to determine:

(1) The financial and management stability of the Applicant;

(2) The demonstrated commitment of the Applicant to the community;

(3) A cost-benefit analysis of the project proposed by the Applicant;

(4) The benefits to the community of a proposed project;

(5) The type or amount of assistance to be provided;

(6) The scope of the Affordable Housing Project;

(7) Any substantive or matching contribution by the Applicant to the proposed project;

(8) A performance schedule for the Qualifying Grantee with performance criteria; and

(9) Any other rules or procedures the City believes are necessary for a full review and evaluation of the Applicant and the Application or which the MFA believes is necessary for a full review of the City's evaluation of the Applicant.

(D) Require long-term affordability of the City's Affordable Housing Projects so that a project cannot be sold shortly after completion and taken out of the affordable housing market;

(E) Require that a grant or loan for a project must impose a contractual obligation on the Qualifying Grantee that the affordable housing units in any project be occupied by persons of low or moderate income as defined in this Ordinance;

(F) Provide for adequate security against the loss of public funds or property in the event that the Qualifying Grantee abandons or otherwise fails to complete the project;

(G) Require review and approval of a housing grant project budget by the City and/or the MFA before any expenditure of grant funds or transfer of granted property;

(H) Require that a condition of grant or loan approval be proof of compliance with all applicable State and local laws, rules and ordinances;

(I) Provide definitions for "low-income" and "moderate-income" and set out requirements for verification of income levels;

(J) Provide the city with a valid affordable housing program; and

(K) Require that the City enter into a contract with the Qualifying Grantee consistent with the Act, which contract shall include remedies and default provisions in the event of the unsatisfactory performance by the Qualifying Grantee and which contract shall be subject to the review of the MFA in its discretion.

Section 4. Definitions. The following words and terms shall have the following meanings:

Act shall mean the Affordable Housing Act, NMSA 1978, §6-27-1 et seq.

Affordable shall mean consistent with minimum rent and/or income limitations set forth in the MFA Act and in guidelines established by MFA.

Affordable Housing means residential housing primarily for persons or households of low or moderate income.

Affordable Housing Funds shall mean any or all funds awarded or to be awarded, loaned or otherwise distributed under the Act.

Affordable Housing Plan or Plan shall mean a plan pursuant to detailed research and analysis of the community and housing profile, including a review of land use and policy regarding land use, which produces a housing needs assessment for low- and moderate-income households in that locality.

Affordable Housing Program or Program shall mean any programs the City establishes pursuant to the Act.

Affordable Housing Project or Project shall mean any work or undertaking, whether new construction, acquisition of existing Residential Housing, remodeling, improvement, rehabilitation or conversion, which may be developed in one or more phases, as approved by the City and/or the MFA for the primary purposes as allowed by the Act.

Affordability Period shall mean:

(A) If the fair market value of any housing assistance grant or the total amount of affordable housing funds that have been awarded, loaned, donated, or otherwise conveyed to the qualifying grantee is from one dollar ($1.00) to fourteen thousand nine hundred ninety-nine dollars and ninety-nine cents ($14,999.99), then the affordability period shall be not less than five (5) years.

(B) If the fair market value of any housing assistance grant or the total amount of affordable housing funds is from fifteen thousand dollars ($15,000.00) up to and including forty thousand dollars ($40,000.00), then the affordability period shall be not less than ten (10) years.

(C) If the fair market value of any housing assistance grant or the total amount of affordable housing funds is greater than forty thousand dollars ($40,000.00) up to and including one hundred thousand dollars ($100,000.00), then the affordability period shall be not less than fifteen (15) years.

(D) If the fair market value of any housing assistance grant or the total amount of affordable housing funds is greater than one hundred thousand dollars ($100,000.00), then the affordability period shall be not less than twenty (20) years.

Applicant shall mean, an individual, a governmental housing agency, regional housing authority, a for-profit organization, including a corporation, limited liability company; partnership, joint venture, syndicate, or association or a non-profit organization meeting the appropriate criteria set by the City and/or the MFA.

Application shall mean an application to participate in one or more Affordable Housing Projects or Programs under the Act submitted by an Applicant to the City.

Builder shall mean an individual or entity licensed as a general contractor to construct Residential Housing in the State that satisfies the requirements of a Qualifying Grantee and has been approved by the City and/or the MFA to participate in an Affordable Housing Program. The term "Builder" shall also include an individual or entity that satisfies the requirements of a Qualifying Grantee and has been approved by the City and/or the MFA to participate in an Affordable Housing Program, who is not licensed as a general contractor in the State, provided such individual or entity contracts with a general contractor licensed in the State to construct Residential Housing.

Building shall mean a structure capable of being renovated or converted into Affordable Housing or a structure that is to be demolished and is located on land donated for use in connection with an Affordable Housing Project.

City shall mean the City of Rio Rancho, New Mexico, a unit of local government under the Constitution and laws of the State of New Mexico.

Congregate Housing Facility shall mean Residential Housing designed for occupancy by more than four Persons of Low- or Moderate-Income living independently of each other. The facility may contain group dining, recreational, health care or other communal living facilities and each unit in a Congregate Housing Facility shall contain at least its own living, sleeping, and bathing facilities.

Federal Government shall mean the United States of America and any agency or instrumentality, corporate or otherwise, of the United States of America.

Household shall mean one or more persons occupying a housing unit.

Housing Assistance Grant means the donation, provision or payment by the City of:

(A) Land upon which Affordable Housing will be constructed; or

(B) An existing Building that will be renovated, converted or demolished and

reconstructed as Affordable Housing; or

(C) The costs acquisition, development, construction, financing, and operating or owning Affordable Housing; or

(D) The costs of financing or infrastructure necessary to support Affordable Housing.

HUD shall mean the United States Department of Housing and Urban Development.

Infrastructure shall mean Infrastructure Improvements and Infrastructure Purposes.

Infrastructure Improvement includes, but is not limited to:

(A) Sanitary sewage systems, including collection, transport, storage, treatment, dispersal, effluent use and discharge;

(B) Drainage and flood control systems, including collection, transport, diversion, storage, detention, retention, dispersal, use and discharge;

(C) Water systems for domestic purposes, including production, collection, storage, treatment, transport, delivery, connection and dispersal;

(D) Areas for motor vehicle use for road access, ingress, egress and parking;

(E) Trails and areas for pedestrian, equestrian, bicycle or other non-motor vehicle use for access, ingress, egress and parking;

(F) Parks, recreational facilities and open space areas for the use of residents for entertainment, assembly and recreation;

(G) Landscaping, including earthworks, structures, plants, trees and related water delivery systems;

(H) Electrical transmission and distribution facilities;

(I) Natural gas distribution facilities;

(J) Lighting systems;

(K) Cable or other telecommunications lines and related equipment;

(L) Traffic control systems and devices, including signals, controls, markings and signs;

(M) Inspection, construction management and related costs in connection with the furnishing of the items listed in this subsection; and

(N) Heating, air conditioning and weatherization facilities, systems or services, and energy efficiency improvements that are affixed to real property.

Infrastructure Purpose shall mean:

(A) Planning, design, engineering, construction, acquisition or installation of Infrastructure, including the costs of applications, impact fees and other fees, permits and approvals related to the construction, acquisition or installation of the Infrastructure, provided the City may determine it appropriate to reduce or waive building permit fees, sewer and water hook-up fees and other fees with respect to an Affordable Housing Project for which Affordable Housing Funds and/or Housing Assistance Grants are awarded, loaned, donated or otherwise distributed under the Act;

(B) Acquiring, converting, renovating or improving existing facilities for Infrastructure, including facilities owned, leased or installed by the owner;

(C) Acquiring interests in real property or water rights for infrastructure, including interests of the owner; and

(D) Incurring expenses incident to and reasonably necessary to carry out the purposes specified in this subsection.

MFA shall mean the New Mexico Mortgage Finance Authority.

MFA Act shall mean the Mortgage Finance Authority Act, enacted as Chapter 303 of the Laws of 1975 of the State of New Mexico, as amended (being Sections 58-18-1 through 58- 18-27, inclusive, N.M.S.A (1978), as amended).

Mortgage shall mean a mortgage, mortgage deed, deed of trust or other instrument creating a lien, subject only to title exceptions as may be acceptable to the City and/or the MFA, on a fee interest in real property located within the State or on a leasehold interest that has a remaining term at the time of computation that exceeds or is renewable at the option of the lessee until after the maturity day of the Mortgage Loan.

Mortgage Lender shall mean any bank or trust company, mortgage company, mortgage banker, national banking association, savings bank, savings and loan association, credit union, building and loan association and any other lending institution; provided that the mortgage lender maintains an office in the State, is authorized to make mortgage loans in the State and is approved by the City and/or the MFA and either the Federal Housing Authority, Veterans' Affairs, Federal National Mortgage Association (now known as Fannie Mae), or Federal Home Loan Mortgage Corporation (now known as Freddie Mac).

Mortgage Loan shall mean a financial obligation secured by a Mortgage, including a Mortgage Loan for a Project.

Multiple Family Housing Project shall mean Residential Housing that is designed for occupancy by more than four persons or families living independently of each other or living in a Congregate Housing Facility, at least sixty percent (60%) of whom are Persons of Low- or Moderate-Income, including without limitation Persons of Low- or Moderate-Income who are elderly and handicapped as determined by the City and/or the MFA, provided that the percentage of low-income persons and families shall be at least the minimum, if any, required by federal tax law.

Multi-Family Housing Program shall mean a program involving a Congregate Housing Facility, a Multiple Family Housing Project or a Transitional Housing Facility.

Ordinance shall mean this ordinance, also cited as the Affordable Housing Ordinance.

Persons of Low- or Moderate-Income shall mean persons and families who are determined to lack sufficient income to pay enough to cause private enterprise to build an adequate supply of decent, safe and sanitary residential housing in the City and whose incomes are below the income levels established by the MFA and the Plan to be in need of the assistance made available by the Act, taking into consideration, without limitation, such factors as defined under the Act. For purposes of this definition, the word "families" shall mean a group of persons consisting of, but not limited to, the head of a household; his or her spouse, if any; and children, if any, who are allowable as personal exemptions for Federal income tax purposes. In accordance with the Plan, persons of low- and moderate-income who are eligible for assistance in accordance with the Plan are as follows:

(A) Persons of low-income shall mean persons in households with annual gross incomes below 80% of Area Median Income for City as approved and published each year by MFA and verified by the City.

(B) Persons of Moderate Income shall mean persons in households with annual gross incomes between 80% and 120% of Area Median Income for City as approved and published each year by MFA and verified by the City.

(C) For purposes of this definition, "annual gross income" shall mean the annual anticipated income from assets, regular cash or noncash contributions, and any other resources and benefits determined to be income by HUD, as defined in 24 CFR Section 5.609.

Policies and Procedures shall mean Policies and Procedures of the MFA, including but not limited to, Mortgage Loan purchasing, selling, servicing and reservation procedures, which the MFA may update and revise from time to time as the MFA deems appropriate.

Public Service Agencies shall include, but are not limited to, any entities that support Affordable Housing and which believe that the program or project proposed by the Applicant is worthy and advisable, but which are not involved, either directly or indirectly, in the Affordable Housing Program or Project for which the Applicant is applying.

Qualifying Grantee means:

(A) An individual who is qualified to receive assistance pursuant to the Act and is approved by the City; and/or MFA

(B) A governmental housing agency, regional housing authority, corporation, a limited liability company, partnership, joint venture, syndicate, association or a non-profit organization that:

(1) Is organized under State or local laws and can provide proof of such

organization;

(2) If a non-profit organization, has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; and

(3) Is approved by the City and/or MFA.

Recertification shall mean the recertification of Applicants and/or Qualifying Grantees participating in any Affordable Housing Programs or in any programs under the Act as determined necessary from time to time by the City and/or the MFA.

Rehabilitation shall mean the substantial renovation or reconstruction of an existing single-family residence or a Multi-Family Housing Project, which complies with requirements established by the MFA. Rehabilitation shall not include routine or ordinary repairs, improvements or maintenance, such as interior decorating, remodeling or exterior painting, except in conjunction with other substantial renovation or reconstruction.

Residential Housing shall mean any Building, structure or portion thereof that is primarily occupied, or designed or intended primarily for occupancy, as a residence by one or more Households and any real property that is offered for sale or lease for the construction or location thereon of such a building, structure or portion thereof. "Residential Housing" includes congregate housing, manufactured homes and housing intended to provide or providing transitional or temporary housing for homeless persons.

Residential Use shall mean that the structure or the portion of the structure to benefit from the Affordable Housing Funds or Housing Assistance Grant is designed primarily for use as the principal residence of the occupant or occupants and shall exclude vacation or recreational homes.

RFP shall mean any request for proposals made by the City.

Rules shall mean the New Mexico Mortgage Finance Authority Affordable Housing Rules adopted pursuant to Section 6-27-8(B) NMSA 1978.

State shall mean the State of New Mexico.

Transitional Housing Facility shall mean residential housing that is designed for temporary or transitional occupancy by Persons of Low- or Moderate-Income, or with special needs.

Section 5. General Requirements.

The following requirements shall apply to all Housing Assistance Grants and/or Affordable Housing Funds awarded, loaned or otherwise distributed by the City under the Act to a Qualifying Grantee:

(A) Request for Proposals. The City, in its discretion, may issue one or more RFPs to solicit Applications from Applicants or shall otherwise identify a Qualifying Grantee for the use of any Affordable Housing Funds or Housing Assistance Grants to be awarded, loaned, donated or otherwise distributed under the Act.

(B) Applicant Eligibility. The following Applicants are eligible under the Act to apply for

Affordable Housing Funds or a Housing Assistance Grant to provide housing or related services to Persons of Low- or Moderate-Income in the community:

(1) All individuals who are qualified to receive assistance pursuant to the Act, the Rules, and this Ordinance that are approved by the City and/or MFA, as applicable;

(2) All regional housing authorities and any governmental housing agencies;

(3) All for-profit organizations, including any corporation, limited liability company, partnership, joint venture, syndicate or association;

(4) All non-profit organizations meeting the following requirements:

(a) A primary mission of the non-profit organization must be to provide housing or housing-related services to Persons of Low- or Moderate-Income;

(b) The non-profit organization must have received its 501(c)(3) designation prior to submitting an Application;

(c) Have no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual;

(5) All non-individual Applicants must:

(a) Be organized under State or local laws and can provide proof of such organization and be approved by the City;

(b) Have a functioning accounting system that is operated in accordance with generally accepted accounting principles ("GAAP") or has designated an entity that will maintain such an accounting system consistent with GAAP;

(c) Have among its purposes significant activities related to providing housing or services to Persons or Households of Low or Moderate Income; and

(d) Have no significant outstanding or unresolved monitoring findings from the City, the MFA, or its most recent independent financial audit, or if it has any such findings, it has a certified letter from the City, the MFA, or auditor stating that the findings are in the process of being resolved.

(C) Applications.

(1) Process for Applying. Applicants wishing to apply for a Housing Assistance Grant, including the use of any Affordable Housing Funds, or to participate in any Affordable Housing Program are required to submit to the City the following (as applicable):

(a) One original Application together with all required schedules, documents, or such other information which may be required by the City or in any RFP which may have been issued by the City;

(b) A proposal describing the nature and scope of the Affordable Housing Project proposed by the Applicant and for which the Applicant is applying for funds or a grant under the Act, and which documents the need for the requested funds or grant, describes the type and/or amount of assistance which the Applicant proposes to provide to Persons of Low- or Moderate-Income and documents the consistency of the proposal with the City's Affordable Housing Plan;

(c) Executive summary and project narrative(s) that address(es) the evaluation criteria set forth in any RFP issued by the City for the Affordable Housing Funds or the Housing Assistance Grant for which the Applicant is applying;

(d) A proposed budget for the Affordable Housing Project for which the Applicant is applying for Affordable Housing Funds or for a Housing Assistance Grant;

(e) A copy of its most recent independent financial audit;

(f) If the Applicant is a non-profit organization:

1. Proof of 501(c)(3) tax status;

2. Documentation that confirms that no part of its net earnings inures to the benefit of any member, founder, contributor or individual;

(g) If an Applicant is a legal entity, including a non-profit organization:

1. A current annual budget for the Applicant, including all sources and uses of funds not just those related to relevant programs and/or a current annual budget only for the program for which the Applicant is applying for a Housing Assistance Grant, or as otherwise may be required by the City and/or the MFA in its discretion;

2. An approved mission statement that the Applicant has among its purposes significant activities related to providing housing or housing related services to Persons or Households of Low or Moderate Income;

3. A list of members of the Applicant's current board of directors or other governing body, including designated homeless participation, where required by the City;

4. Evidence (or a certification as may be allowed by the City) that

the Applicant has a functioning accounting system that is operated in accordance with GAAP or has a designated entity that will maintain such an accounting system consistent with GAAP;

5. Evidence that the Applicant has no significant outstanding or unresolved monitoring findings from the City, the MFA, or its most recent independent financial audit; or if it has any significant outstanding or unresolved monitoring findings from the City, the MFA or its most recent independent financial audit, it has a certified letter from the City, the MFA or the auditor stating that the findings are in the process of being resolved;

6. An organizational chart, including job titles and qualifications for the Applicant's employees or as otherwise may be required by the City and/or the MFA in its discretion. Job descriptions may be submitted as appropriate;

7. Documentation that the Applicant is duly organized under State or local law and certification that the Applicant is in good standing with any State authorities, including the Public Regulation Commission and the Secretary of State;

(h) Information as may be required by the City and/or the MFA in order for it to determine the financial and management stability of the Applicant;

(i) Information as may be required by the City and/or the MFA in order for it to determine the demonstrated commitment of the Applicant to the community;

(j) A completed cost-benefit analysis of the Affordable Housing Project proposed by the Applicant. Any cost-benefit analysis must include documentation that clearly evidences that there is a need for the Housing Assistance Grant being requested from the City, that there is or will be a direct benefit from the project proposed by the Applicant to the community and/or to the purported beneficiaries of the project, consistent with the provisions of the Act, and that the Affordable Housing Project will meet the needs and affordability criteria defined in the City 's Affordable Housing Plan;

(k) Information supporting the benefits to the community of the Affordable Housing Project proposed by the Applicant;

(l) Proof of substantive or matching funds or contributions and/or in-kind donations to the proposed Affordable Housing Project in connection with the Application for funds under the Act. Nothing contained herein shall prevent or preclude an Applicant from matching or using local, private, or federal funds in connection with a specific Housing

Assistance Grant or a grant of Affordable Housing Funds under the Act;

(m) Any certifications or other proof which the City may require in order for the City to confirm that the Applicant is in compliance with all applicable federal, State and local laws, rules and ordinances;

(n) A verification signed by the Applicant before a notary public that the information provided, upon penalty of perjury, is true and correct to the best of the Applicant's information, knowledge and belief;

(o) Certifications as may be required by the City and signed by the chief executive officer, board president, or another authorized official of the Applicant;

(p) Applicant shall submit adequate information, as required by the City and/or MFA, of the Affordable Housing Project proposed by the Applicant. The information provided must clearly evidence the need for the subsidy, that the value of the housing assistance grant reduces the housing costs to Persons of Low- or Moderate-Income, and that there will be a direct benefit from the project proposed by the Applicant to the community and/or to the purported beneficiaries of the project, consistent with the provisions of the Act, the Rules, and this Ordinance.

(2) Additional Requirements for Multi-Family Housing Projects Applicants who are submitting Applications in connection with a Multi-Family Housing Program. The Applicant must also submit to the City following additional information:

(a) A verified certificate that, among other things:

1. Identifies every Multi-Family Housing Program, including every assisted or insured project of HUD, RHS, FHA and any other state or local government housing finance agency in which such Applicant has been or is a principal;

2. States that, except as shown on such certificate:

i. No mortgage on a project listed on such certificate has ever been in default, assigned to the Federal Government or foreclosed, nor has any mortgage relief by the mortgagee been given;

ii. There has not been a suspension or termination of payments under any HUD assistance contract in which the Applicant has had a legal or beneficial interest;

iii. Such Applicant has not been suspended, debarred or otherwise restricted by any department or agency of

the Federal Government or any state government from doing business with such department or agency because of misconduct or alleged misconduct; and

iv. The Applicant has not defaulted on an obligation covered by a surety or performance bond.

If such Applicant cannot certify to each of the above, such Applicant shall submit a signed statement to explain the facts and circumstances that such Applicant believes will explain the lack of certification. The City may then determine if such Applicant is or is not qualified.

(b) The experience of the Applicant in developing, financing and managing Multiple-Family Housing Projects; and

(c) Whether the Applicant has been found by the United States Equal Employment Opportunity Commission or the New Mexico Human Rights Commission to be in noncompliance with any applicable civil rights laws.

(3) Additional Requirements for Mortgage Lenders. If the Applicant is a Mortgage lender, the City shall consider, among other things:

(a) The financial condition of the Applicant;

(b) The terms and conditions of any loans to be made;

(c) The aggregate principal balances of any loans to be made to each Applicant compared with the aggregate principal balances of the loans to be made to all other Applicants;

(d) The City's assessment of the ability of the Applicant or its designated servicer to act as originator and servicer of Mortgage Loans for any Multi-Family Housing Programs or other programs to be financed; and

(e) Previous participation by the Applicant in the programs administered by the MFA, HUD, Federal Housing Authority or Rural Housing Service programs.

(4) Submission Procedure.

(a) Time, Place and Method of Submission Delivery.

1. If the City has issued an RFP, all Applications must be received by the City no later than the deadline set forth in the RFP; otherwise, all Applications must be received by the City by the deadline the City has established in connection with the respective award or grant. So that any Qualifying Grantees

may be selected prior to January of the year in which any Housing Assistance Grant would be made, the City shall issue any RFP's, solicit any Applications, or otherwise identify any Qualifying Grantees no later than October 15 of any year in order to allow sufficient time for prospective Applicants to respond to any such RFP, solicitation, or otherwise, and further to allow the MFA not less than forty-five (45) days in which to review any such Applications or otherwise determine or confirm that an Applicant is a Qualifying Grantee under the Act and consistent with the Rules.

2. Applications shall be submitted by Applicants to the City in the form required by the City and shall contain all information which is required by this Ordinance and any RFP which may have been issued.

(b) Additional Factors.

1. Timely completion and submission to the City of an Application or other appropriate response to any solicitation by the City;

2. Timely submission of all other information and documentation related to the program required by the City as set forth in this Ordinance or as set forth in the Rules;

3. Timely payment of any fees required to be paid to the City at the time of submission of the Application; and

4. Compliance with program eligibility requirements as set forth in the Act, the Rules and this Ordinance.

(c) Submission Format.

1. City forms or MFA forms (if available) must be used when provided and no substitutions will be accepted; however, attachments may be provided as necessary.

2. An Applicant's failure to provide or complete any element of an Application, including all requirements of the City or as may be listed on any RFP, may result in the rejection of the Application prior to review.

3. Illegible information, information inconsistent with other information provided in the Application, and/or incomplete forms will be treated as missing information and evaluated accordingly.

4. City and the MFA reserve the right to request further information from any Applicant so long as the request is done

fairly and does not provide any Applicant an undue advantage over another Applicant.

5. The City in its discretion may cancel any RFP or reject any or all proposals in whole or part submitted by any Applicant.

6. The Applicant shall be responsible for any expenses incurred in preparing and submitting an Application. The City or the MFA, as applicable, may establish and collect fees from Applicants who file Applications. Notice that fees will be charged and the amount of any such fees shall be included by the City or the MFA, as applicable, in any RFP or otherwise shall be advertised as part of the Application solicitation process.

(5) Review by the City. On receipt of an Application, the City shall:

(a) Determine whether the Application submitted by the Applicant is complete and responsive;

(b) Determine whether the Applicant is a Qualifying Grantee as defined herein and in the Act;

(c) Review and analyze whether the Applicant has shown a demonstrated need for activities to promote and provide affordable housing and related services to Persons of Low- or Moderate-Income and that the proposal is consistent with the City's adopted Affordable Housing Plan;

(d) Determine whether the Applicant has demonstrated experience related to providing housing or services to Persons of Low- or Moderate-Income; as well as experience and/or the capacity of the Applicant to administer the Affordable Housing Program or Project for which the Applicant has applied;

(e) Determine whether the Applicant's proposal provides a plan for coordinating with other service providers in the community; whether the Applicant's proposal addresses how Persons of Low-Income or Moderate-Income in need of housing and/or housing related services can receive supportive services and referrals to federal, State and local resources; and, whether the Applicant's proposal addresses outreach efforts to reach the population to be served as identified by the City in any RFP, in the Affordable Housing Plan or otherwise;

(f) Determine whether the Applicant has support from Public Service Agencies, or such other support as may be required by the City and/or the MFA in its discretion, for its proposed services in the community;

(g) Ascertain the amount of any matching funds or in-kind services

specific to the program that may be utilized by the Applicant in connection with the program;

(h) Ascertain whether any local, private, or federal funds will be used by the Applicant in connection with the specific grant for which the Applicant is applying;

(i) Ascertain whether the Applicant has and can demonstrate the capability to manage the implementation of the Program for which the Applicant is applying;

(j) If Applicant is a prior recipient of either a Housing Assistance Grant, Affordable Housing Funds and/or other Program funds, confirm that the Applicant had no outstanding findings or matters of non-compliance with program requirements from the City or the MFA, as applicable or if it has any such findings, it has a certified letter from the City, the MFA, or auditor stating that the findings are in the process of being resolved;

(k) If Applicant is a prior recipient of either a Housing Assistance Grant, Affordable Housing Funds and/or other Program funds, confirm that the Applicant reasonably committed and expended the funds under the prior Program and/or met anticipated production levels as set forth in any contract with the City or the MFA, as applicable, for those prior Program funds;

(l) Evaluate the Applicant's proposal in part based upon the Applicant's current financial audit;

(m) Evaluate the Applicant's proposed budget for the Project for which the Applicant is applying for Affordable Housing Funds or a Housing Assistance Grant which proposed budget must be approved by the City before the Applicant can be approved as a Qualifying Grantee and any expenditure of grant funds under the Act or granted property is transferred to the Applicant;

(n) On receipt of an Application from a Builder, the City will analyze the Builder's ability to construct and sell sufficient Residential Housing units to Persons of Low- or Moderate- Income within the time or times as may be required by the City.

(o) Consider other factors it deems appropriate to ensure a reasonable geographic allocation for all Affordable Housing Programs.

(6) Certification by the City to the MFA. The City shall certify an Application to the MFA in writing upon:

(a) Completion of its review of the Application;

(b) Determination that the Application is complete;

(c) Determination that the requirements of the Act, the Rules and this Ordinance have been satisfied; and

(d) Determination that the Applicant is a Qualifying Grantee.

(7) Discretionary Review by the MFA for Completeness. The MFA upon its receipt of the certification from the City may, in its discretion, review the Application and any of the materials submitted by the Applicant to the City. The MFA may also request any additional information from the Applicant, which it may require in order to determine whether the Applicant is a Qualifying Grantee under the Act and the Application is complete. The MFA will then notify the City of its determination of whether or not the Application is complete and that the requirements of the Act and the Rules have been satisfied and the Applicant is a Qualifying Grantee. Unless the period is extended for good cause shown, the MFA shall act on an Application within forty-five (45) days of its receipt of any Application, which the MFA deems to be complete, and, if not acted upon by the MFA, the Application shall be deemed to be approved.

(8) Notification of Acceptance. The City, upon completion of its review of the Application and an evaluation of the criteria for approval of the Application as set forth in the this Ordinance and in any RFP issued by the City and upon its determination that the Applicant is a Qualifying Grantee, and upon its receipt of notification from the MFA that it agrees that the Application is complete and that the Act and Rules have been satisfied and the Applicant is a Qualifying Grantee, by written notice, shall notify each Applicant which has submitted an Application of the approval or disapproval of its Application. Upon approval of its Application, the Applicant shall be considered approved to participate in the Affordable Housing Program. The City's and the MFA's determination of any Application shall be conclusive.

(D) Additional Requirements. Upon acceptance, the following additional requirements shall apply to any Applicant who is a Qualifying Grantee:

(1) Contractual Requirements. The Qualifying Grantee shall enter into one or more contracts with the City, which contract(s) shall be consistent with the Act and subject to the review of the MFA, in its discretion, and which contract(s) shall include remedies and default provisions in the event of the unsatisfactory performance by the Qualifying Grantee.

(2) Security Provisions; Collateral Requirements. In accordance with the Act, the Rules and this Ordinance, the City shall require the Qualifying Grantee to execute documents, which will provide adequate security against the loss of public funds or property in the event the Qualifying Grantee abandons or fails to complete the Affordable Housing Project, and which shall further provide, as may be permitted by law, for the recovery of any attorneys' fees and costs which the City and/or the MFA may incur in enforcing the provisions of this Ordinance, the Rules, the Act and/or any agreement entered into by the City and the Qualifying Grantee, and which documents

may include, but are not limited to the following: note, mortgage, loan agreement, land use restriction agreement, restrictive covenant agreements and/or any other agreement which the City may require in order to allow for any funds which the Qualifying Grantee may receive under a Housing Assistance Grant or Affordable Housing Funds to be adequately secured and to allow the City and the MFA to ensure that such funds shall be used by the Qualifying Grantee in accordance with the Act, the Rules and this Ordinance.

(3) Performance Schedule and Criteria. The Qualifying Grantee shall be required to abide by a reasonable performance schedule and performance criteria that the City, in its discretion, may establish.

(4) Examination of Books and Records. The Qualifying Grantee shall submit to and the City shall cause to be made such examinations of the books and records of each Qualifying Grantee as the City and/or the MFA deems necessary or appropriate to determine the Qualifying Grantee's compliance with the terms of the Act, the Rules, this Ordinance and any contracts between the Qualifying Grantee and the City. The City and/or the MFA may require each Qualifying Grantee to pay the costs of any such examination.

(5) Infrastructure Cost Reimbursement Contracts.

(a) Cost Reimbursements. Payment to a Qualifying Grantee under cost reimbursable contract provisions shall be made upon the City's receipt from the Qualifying Grantee of certified and documented invoices for actual expenditures allowable under the terms of any agreement between the Qualifying Grantee and the City.

(b) Cost Reimbursements for Units of Service. Payment under any unit cost contract provisions shall be made upon the City's receipt from the Qualifying Grantee of a certified and documented invoice showing the number of units of service provided during the billing period.

(c) Rate at which Costs Incurred. Under unit cost or cost reimbursable contracts, it is anticipated that costs will be incurred by the Qualifying Grantee at an approximate level rate during the term of any agreement between the Qualifying Grantee and the City. If the City determines that the Qualifying Grantee is underspending or overspending, then the City may reduce the budget and/or exercise such other budgetary fiscal controls it deems appropriate.

(d) Invoices. Qualifying Grantees shall not submit invoices more than once a month, unless written approval is obtained in advance from the City. Failure to submit invoices within twenty (20) calendar days of the close of the month for which payment is sought may result in the non-availability of funds for reimbursement.

(e) No Dual Application of Costs. The Qualifying Grantee shall certify

that any direct or indirect costs claimed by the Qualifying Grantee will not be allocable to or included as a cost of any other program, project, contract, or activity operated by the Qualifying Grantee and which has not been approved by the City in advance, in writing.

(f) Prohibition of Substitution of Funds. Any Affordable Housing Funds or other amounts received by Qualifying Grantee may not be used by Qualifying Grantee to replace other amounts made available or designated by the State or local governments through appropriations for use for the purposes of the Act.

(g) Cost Allocation. The Qualifying Grantee shall clearly identify and distribute all costs incurred pertaining to the Affordable Housing Project by a methodology and cost allocation plan at times and in a manner prescribed by, or acceptable to the City.

(h) Additional Information. Qualifying Grantees shall provide the City with any and all information which the City may reasonably require in order for it to confirm that the Qualifying Grantees continue to satisfy the requirements of the Act, the Rules and this Ordinance throughout the term of any contract and/or any Affordability Period or otherwise as may be required by the City or the MFA in its discretion. At a minimum, on an annual basis, the City shall certify to the MFA in writing that to the best of its knowledge the Qualifying Grantee is in compliance with applicable provisions of the Act, the Rules and this Ordinance.

(E) Affordable Housing Requirements. All Affordable Housing Funds or Housing Assistance Grants awarded under the Act are to be used by Qualifying Grantees for the benefit of Persons of Low- or Moderate-Income subject to the provisions of the Act and with particular regard to their housing related needs.

(1) Single-Family Property.

(a) Qualifying Grantees shall agree that they shall maintain any single-family property which has been acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or which property has otherwise benefited from Affordable Housing Funds, including but not limited to any loans which have been repaid with Affordable Housing Funds and which loans previously were secured by such properties, as Affordable Housing for so long as any or all of the Affordable Housing Funds which have been awarded, loaned, or otherwise conveyed to the Qualifying Grantee are unpaid and outstanding or the Affordability Period, whichever is longer.

(b) If any single-family properties are to be rehabilitated, weatherized, converted, leased, repaired, constructed or otherwise are to benefit from Affordable Housing Funds, and if the Qualifying Grantee intends to rent the single-family property out, those single-family properties shall be leased to Persons of Low- or Moderate-Income

at the time of any such award. Grantees also shall agree that the Persons of Low- or Moderate-Income, who are tenants of those apartments, shall be allowed to remain tenants for so long as there are no uncured defaults by those tenants under their respective leases which must be compliant to the New Mexico Uniform Owner-Resident Relations Act (NMSA 1978 Sections 47-8-1 through 47- 8-52) -- and provided that there is no just cause, as outlined in NMSA 1978 Section 47-8-33, for the landlord to terminate any lease agreement with those tenants.

(2) Multi-Family Property.

(a) Single Apartment within a Multi-Family Property. Qualifying Grantees shall agree that, if any single apartments are to be rehabilitated, weatherized, converted, leased, repaired, constructed or otherwise are to benefit from Affordable Housing Funds, those apartments shall be leased to Persons of Low- or Moderate-Income at the time of any such award. Qualifying Grantees, who are the landlords and/or owners of such properties, shall further agree to contribute at least sixty percent (60%) of the cost of the rehabilitation, weatherization, conversion, lease, repair, and/or construction. Qualifying Grantees also shall agree that the Persons of Low- or Moderate- Income, who are tenants of those apartments, shall be allowed to remain tenants for so long as there are no uncured defaults by those tenants under their respective leases -- which must be compliant to the New Mexico Uniform Owner-Resident Relations Act, NMSA 1978 Sections 47-8-1 through 47-8-52, and provided that there is no just cause, as outlined in Section 47-8-33 NMSA 1978, for the landlord to terminate any lease agreement with those tenants.

(b) Multiple Apartments. Qualifying Grantees shall agree that, if multiple apartments or an entire multi-family property are to be acquired, rehabilitated, weatherized, converted, leased, repaired, constructed or otherwise are to benefit from Affordable Housing Funds, including but not limited to any loans which have been repaid with Affordable Housing Funds and which loans previously were secured by such properties, they shall maintain not less than sixty percent (60%) of the housing units as Affordable Housing for so long as any or all of the Affordable Housing Funds which have been awarded, loaned, or otherwise conveyed to the Qualifying Grantee are unpaid and outstanding or the Affordability Period, whichever is longer.

(3) Non-Residential Property. Qualifying Grantees shall agree that they shall maintain any non-residential property which has been acquired, rehabilitated, weatherized, converted, leased, repaired, constructed, or which property has otherwise benefitted from Affordable Housing Funds, including but not limited to any loans which have been repaid with Affordable Housing Funds and which loans previously were secured by such properties, as a facility which provides housing related-services to Persons of Low- or Moderate-Income for so long as any or all of the

Affordable Housing Funds which have been awarded, loaned, or otherwise conveyed to the Qualifying Grantee are unpaid and outstanding or the Affordability Period, whichever is longer.

(4) Housing Assistance Grant Affordability Requirements. Qualifying Grantees shall agree that they shall maintain any land or buildings received as a Housing Assistance Grant as either single-family or multi-family Affordable Housing in accordance with Sections 4.E.(i) and (ii) of this Ordinance or as a facility which provides housing related- services to Persons of low- or Moderate-Income in accordance with Section 4.E.(iii) of this Ordinance (as applicable) for the duration of the Affordability Period. Qualifying Grantees shall agree that they shall maintain any land or buildings for which they have received the costs of Infrastructure as a Housing Assistance Grant either as either single- family or multi-family Affordable Housing or as a facility which provides housing related-services to Persons of low- or Moderate-Income (as applicable) for the duration of the Affordability Period. In calculating the Affordability Period for Housing Assistance Grants of either land or buildings, the fair market value of the land or buildings or the costs of Infrastructure at the time of the donation by the City shall apply.

(5) Affordability Period. The City, in its discretion, may increase the Affordability Period in any contract, note, mortgage, loan agreement, land use restriction agreement, restrictive covenant agreements and/or any other agreement which the City may enter into with any Qualifying Grantee or beneficiary of the Affordable Housing Funds or of the Housing Assistance Grant. (See definition of Affordability Period in Section 3.C. of this Ordinance.) Notwithstanding the foregoing, in the discretion of the MFA, weatherization funds conveyed from the State to the MFA and/or any other similar conveyances where an Affordability Period is not practical, shall not be subject to the Affordability Period requirements of this Section 4.E.; but nevertheless, any such conveyances may be subject to recapture on some pro-rated basis as determined by the City and/or the MFA.

(F) Consent to Jurisdiction. Each Qualifying Grantee shall consent to the jurisdiction of the courts of the State over any proceeding to enforce compliance with the terms of the Act, the Rules and this Ordinance and any agreement between the Qualifying Grantee and the City and/or the MFA.

(G) Recertification Procedures.

(1) The Qualifying Grantee must meet the requirements of the Act, the Rules and this Ordinance both at the time of any award and throughout the term of any grant and contract related thereto.

(2) The City may establish procedures for recertifying Qualifying Grantees from time to time.

(3) Qualifying Grantees that fail to satisfy the requirements for Recertification shall cease to be eligible and shall be denied further participation in Affordable Housing programs until the requirements of the City and the MFA

are satisfied.

(H) Compliance with the Law. Qualifying Grantee shall provide the City with any certifications or other proof that it may require in order for the City and the MFA to confirm that the Qualifying Grantee and the Qualifying Grantee's proposed Project are in compliance with all applicable federal, State and local laws, rules and ordinances. At a minimum, on an annual basis, the Qualifying Grantee shall provide the City with certifications and proof of compliance, and the City shall certify to the MFA in writing that the Qualifying Grantee is still in compliance with the Act and the Rules.

(I) Extension of Affordable Housing Programs. The MFA shall have the power to create variations or extensions of affordable housing programs, or additional programs that comply with the Act and the rules.

(J) City Grant Requirements.

(1) The City is authorized to make Housing Assistance Grants under the Act. Upon determination that the City will make a Housing Assistance Grant, including the use of any Affordable Housing Funds, the City shall provide the MFA with the following:

(a) Documentation that confirms that the City has an existing valid Affordable Housing Plan;

(b) Documentation that confirms that the City has an existing valid Affordable Housing Ordinance which provides for the authorization of the Housing Assistance Grant, including the use of any Affordable Housing Funds;

(c) Written certification that the proposed grantee is in compliance with Act and the Rules so that the MFA may confirm that the Application is complete, and that the proposed grantee is a Qualifying Grantee under the Act and the Rules.

(2) Prior to the submission of the Application and project authorization to the Governing Body, the Governing Body must approve the budget submitted by the Applicant.

(3) An action authorizing the City to make a Housing Assistance Grant and/or distribute Affordable Housing Funds:

(a) Must authorize the grant, including use of Affordable Housing Funds, if any;

(b) Must state the requirements and purpose of the grant;

(c) Must authorize the transfer or disbursement to the Qualifying Grantee only after a budget is submitted to and approved by the Governing Body;

(d) Must comply with the Rules, as amended; and

(e) May provide for matching or using local, private or federal funds either through direct participation with a federal agency pursuant to federal law or through indirect participation through the MFA.

(4) The MFA shall act to approve the proposed Housing Assistance Grant authorized by the City within forty-five(45) days of its receipt of the documentation required above in Section 4.J.(i), (ii) and (iii) of this Ordinance.

(5) The City, in its discretion, may also hold any award of Affordable Housing Funds or any Housing Assistance Grant made by the City in suspense pending the issuance by the City of any RFP or pending the award of the Affordable Housing Funds or of the Housing Assistance Grant by the City to the Qualifying Grantee without the issuance of an RFP by the City. Any award of Affordable Housing Funds or a Housing Assistance Grant by the City shall subject the Qualifying Grantee of the award or grant to the oversight of the City and the MFA under this Ordinance and the Rules.

(K) School District and Public Post-Secondary Educational Institution Donations for Housing Projects. If a school district or a public post-secondary education institution intends to transfer land to the City to be further granted to a Qualifying Grantee as part or all of an Affordable Housing project, this transfer shall be subject to the limitations contained in the Act that the school district and the City enter into a contract that provides the school district with a negotiated number of affordable housing units that will be reserved for employees of the school district. Any transfer of land by a public post-secondary educational institution shall be subject to the additional limitations contained in the Act that:

(1) The property transferred shall be granted to a Qualifying Grantee by the City as part of a grant for an Affordable Housing project; and

(2) The governing board of the public post-secondary educational institution and the City enter into a contract that provides the public post-secondary educational institution with Affordable Housing units.

As used in this section, "public post-secondary educational institution" means a state university or a public community college. The City, in its discretion, may also hold any Housing Assistance Grant made by any school district or public post-secondary educational institution in suspense pending the issuance by the City of any RFP or pending the award of the Housing Assistance Grant by the City to the Qualifying Grantee without the issuance of an RFP by the City. Any award of a Housing Assistance Grant by a school district or a public post-secondary educational institution shall subject the Qualifying Grantee of the grant to the oversight of the City and the MFA under the Rules.

Section 6. Discrimination Prohibited. The development, construction, occupancy and operation of an Affordable Housing Program or an Affordable Housing Project financed or assisted under the Act shall be undertaken in a manner consistent with

principles of non-discrimination and equal opportunity, and the City shall require compliance by all Qualifying Grantees with all applicable federal and State laws and regulations.

Section 7. Administration. The City shall administer any Affordable Housing programs in accordance with provisions of the Act, the Rules, this Ordinance, any applicable state and federal laws and regulations as each of which may be amended or supplemented from time to time. The City, in establishing, funding and administering the Affordable Housing Programs and by making, executing, delivering and performing any award, contract, grant or any other activity or transaction contemplated by the Act, shall not violate any provision of law, rule or regulation or any decree, writ, order, injunction, judgment, determination or award and will not contravene the provisions of or otherwise cause a default under any of its agreements, indentures, or other instruments to which it may be bound. Any proposed amendment to this ordinance shall be submitted to MFA for review prior to adoption by the Governing Body.

Section 8. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 9. Compiling Clause. This Ordinance shall be incorporated in and compiled as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

Section 10. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. 115 **ENACTMENT NO. 23-116**

RESOLUTION ADOPTING AN AFFORDABLE HOUSING PLAN

WHEREAS: the City of Rio Rancho ("City') is subject to the New Mexico Affordable Housing Act (NMSA 1978, §.6–27-1 et seq.) and New Mexico Mortgage Finance Authority Act (NMSA 1978 § 58-18-1 et seq.); and

WHEREAS: the Affordable Housing Act identifies specific requirements including the adoption of an Affordable Housing Plan and implements the provisions of Subsections E and F of §14 of Article 9 of the New Mexico Constitution; and

WHEREAS: the City, in conjunction with the New Mexico Mortgage Finance Authority, has developed a plan for adoption; and

WHEREAS: the New Mexico Mortgage Finance Authority has reviewed and approved of the form and terms of the City's plan prior to final adoption hereof.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. The Governing Body hereby approves and adopts the Affordable Housing Plan, attached hereto.

Section 2. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 28th DAY OF SEPTEMBER, 2023.

Greggory D. Hull, Mayor

ATTEST:

Rebecca A. Martinez, City Clerk
(SEAL)



City of Rio Rancho

2023 Affordable Housing Plan

Prepared by the City of Rio Rancho
with the assistance of
the National Development Council





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Executive Summary

The City of Rio Rancho ("Rio Rancho") is a vibrant and growing community situated northwest of the City of Albuquerque in New Mexico. Over the past 10 years, the city's population has grown 19 percent from 87,521 residents in 2010 to 104,046 residents in 2020. Many residents work in high-paying industries, including health care, finance and insurance, and other professional services. Rio Rancho residents bring home paychecks that are much higher than the statewide average - the city's median household income is $76,096 compared to the statewide median household income of $53,992.

Rio Rancho's rapid growth in population has not come without consequences. While Rio Rancho was once known as a community where a young family could purchase a "starter home" or a retiree could purchase a modest home in a warm climate, the city's housing market no longer offers ample affordable housing options. Over the past five years, homes sales prices have risen dramatically from a median sales price of $192,000 in 2018 to $330,000 in early 2023. Average asking rents have also risen at a steady pace from $992 in 2018 to $1,404 in early 2023.

Due to the rapid increase in home sales prices and rents, city residents have begun to voice concerns about housing affordability. In a citywide survey conducted in 2022, 74% of respondents agreed or strongly agreed with the statement that "finding housing that is affordable is a problem in the City of Rio Rancho." Survey respondents recognized that the city's economy benefits when housing is affordable for both low-income and higher-income earners. Respondents indicated that schools benefit when students have stable housing and families benefit when they can spend more of their income on education, health care, and childcare. Respondents also agreed that the local tax base improves when corporations choose to relocate or expand in Rio Rancho because they know that their employees will be able to find housing that is affordable.

Therefore, in late 2021, Rio Rancho's city leaders initiated the process to develop an Affordable Housing Study ("Study") in order to identify local housing needs and the tools and strategies that may be used to meet those needs. City leaders decided to develop the Study prior to developing an Affordable Housing Plan ("Plan") in accordance with the State of New Mexico's Affordable Housing Act. A Plan, approved by the New Mexico Mortgage Finance Authority (MFA) and the Affordable Housing Act, permits public-private partnerships for affordable housing activities by creating an exception to the anti-donation clause in the New Mexico constitution. Once this Plan is accepted by the State, Rio Rancho will have the ability to use a combination of public and private resources for affordable housing acquisition, development, financing, maintenance, and operations. Adopting an Affordable Housing Plan is a strategy for incentivizing the production and preservation of affordable housing in the City of Rio Rancho

<u>Benefits of Complying with the New Mexico Affordable Housing Act's Requirements</u>

Under the Act, entities that are authorized to make donations to affordable housing include: the State of NM, counties, municipalities, and school districts. Allowable donations include land for affordable housing construction, an existing building for conversion or renovation into affordable housing, cost of infrastructure necessary to support affordable housing projects, waiving of application costs, fees, and permits related to the acquisition or installation of infrastructure, the cost of acquisition, development, construction, financing, operating or owning affordable housing. The donations reduce the cost of developing - they incentivize the production and preservation of affordable housing. With reduced costs, multi-family housing becomes more affordable (rents are lower) to low- and moderate-income households.

Entities eligible to receive donations (qualified grantees) include public entities, non-profit organizations, and private enterprises. Qualified grantees must be entities whose mission is to provide affordable housing.

The Study set the table for a Plan that complies with the requirements of the New Mexico Affordable Housing Act. In other words, the Study is a draft affordable housing plan. The Governing Body of the City of Rio Rancho reviewed and commented on the study on 8/15/23. The Study was submitted to the MFA for review. MFA approved the Study as an Affordable Housing Plan ("Plan") on 8/23/23. The Affordable Housing Plan guides the development, by the City, of a draft affordable housing ordinance. Only after the draft ordinance is approved by MFA the City pass an Affordable Housing Ordinance.

The Plan identifies several conditions that impact the availability and affordability of housing in the city, including:

- **The majority of Rio Rancho's existing housing inventory consists of single-family detached homes** and over 75% of all homes have three or more bedrooms. The lack of housing types that offer smaller square footage on smaller parcels of land – duplexes, townhomes, and triplexes or even larger apartment buildings – means that many potential renters and homebuyers are unable to afford to move into the city.
- **The nature of Rio Rancho's early (pre-incorporation) development is negatively impacting its potential to develop new housing units in a cost-effective manner.** Specifically, it can be prohibitively expensive for developers to construct infill housing in Rio Rancho since many subdivisions are not supported by adequate infrastructure. Additionally, in can be difficult for subdivision developers to acquire a sufficient amount of land, since fewer than 100 parcels of consolidated undeveloped land consisting of more than 10 acres are available in the city.
- **Rio Rancho's original inventory of housing stock is beginning to show its age.** Over half of the city's housing inventory was constructed before the year 2000. Many of these original "starter homes" were constructed poorly and are beginning to experience significant repair needs.

The Plan also identifies numerous opportunities for Rio Rancho to implement strategies that address the conditions that impact the availability and affordability of housing in the city, including:

- **Preserve existing single-family housing that is occupied by current city residents** by coupling code enforcement activity with resources that help homeowners repair and maintain their homes.
- **Preserve existing renter-occupied single-family housing** by developing a single-family rental registration and inspection ordinance. A rental registration and inspection ordinance will help the city identify the location and condition of single-family rental properties. Thereafter, the city can design an incentive program to encourage landlords to repair and maintain their properties.
- **Spur development of housing on vacant or underutilized parcels** by creating a land swap /land banking program that allows the city to sell city-owned land to developers who agree to build housing that is affordable to families earning a range of incomes.
- **Encourage development of "starter homes"** and other forms of affordable housing by providing public financing to support housing development.
- **Add additional housing units to existing neighborhoods** by helping homeowners navigate the process of building a backyard casita or a garage conversion.

- **Speed up housing development by removing unnecessary regulatory barriers** to developing a range of housing types and encourage more new housing development by modifying land use regulations so that more dense forms of housing can be developed throughout the city.

Overview of the New Mexico Affordable Housing Act's Requirements

The New Mexico Housing Finance Authority (MFA) is the statewide entity responsible for accepting, reviewing, and approving Affordable Housing Plans developed by local communities. In order for a community's plan to be accepted, it must meet certain requirements. The following are the minimum elements required for a local housing plan to be compliant the with Affordable Housing Act:

1. **Community and Housing Profile** – Include demographic characteristics, race/ethnicity, income, age, employment, population trends, number of existing households, housing units by tenure, housing costs, rents, vacancy rates, and sales prices.
2. **Housing Needs Assessment** – Include a description of needs such as: number of households that are housing cost-burdened, overcrowded households, persons with special needs, housing for the elderly, female-headed households, and homelessness. Identify the gap between market rate housing costs and incomes, by area median income (AMI). Project needs, including: number of new units needed by tenure, type and cost to meet current needs and to accommodate expected population growth and job generation, determination of number of homes to be created through new construction, and number of homes in need of rehabilitation and preservation.
3. **Land Use and Policy Review** – Include a general analysis of land use parcels including zoning, size and existing use, environmental constraints, availability of infrastructure. Evaluate the suitability, availability, and realistic development capacity of developable sites, including appropriate zoning for special needs housing, such as multi-family rental, mobile homes, transitional and homeless shelters. Identify constraints, such as land use controls; codes and enforcement; fees and exactions; processing and permit procedures; on/off site improvements; reasonable accommodation; availability of financing; land availability and prices; construction costs; and local capacity to assist, finance, and manage construction; provide housing support services; and administer housing funds and programs. Include minimum density calculations targeted to affordable housing populations.
4. **Goals, Policies, and Quantifiable Objectives** – Include an estimate of the number and percentage of unit increases, by income levels, to be constructed, rehabilitated or conserved over a set period of time. Identify needed programs and agencies responsible for constructing new housing stock; improving existing housing stock; promoting access and equal opportunity to affordable housing; and increasing capacity of residents to lower their housing cost burden; build long term equity; and stabilize their housing situations through home-buyer training, rental vouchers, assistance to persons with disabilities, and other capacity assistance. Include a plan to promote potential regulatory concessions and incentives for removing or mitigating government and non-government constraints to development, rehabilitation or conservation of affordable housing. Identify potential sources of federal, state, and local financing and subsidies to support affordable housing. Include a discussion of related issues, such as public participation, job/housing mix, consistency with existing planning and land use policy, protection of ecological resources, and promotion of efficient development patterns and green building.

Community, Economic, and Housing Profile

Brief History of Development of Rio Rancho

In the early 1960s, Rio Rancho Estates, Inc. (hereinafter, "AMREP") purchased 55,000 acres of land on the outskirts of Albuquerque, originally called Rio Rancho Estates. AMREP subdivided the property into tens of thousands of lots and marketed the area to residents in the Midwest and eastern states using mass marketing and mail order techniques. In total, AMREP sold 77,000 lots to 40,000 buyers at $795 for one half acre and $1,495 for one acre, while retaining over 25 percent of the acreage for future development.

When home building began in 1962, many of the first residents were middle-income retirees. In 1971, AMREP purchased and platted an additional 35,000 acres. Rio Rancho Estates was now 92,000 acres and larger, geographically, than the city of Albuquerque. By 1977, the population had grown to 5,000.

In 1981, Rio Rancho was incorporated, and its population had reached 10,000. Several years later, a new financing program offering low interest home loans changed Rio Rancho from a retirement community to a community attracting young families in the form of first-time homebuyers.

Today, Rio Rancho is the most populous and only city in Sandoval County, which is part of the expansive Albuquerque metropolitan area of New Mexico. A small portion of the city extends into northern Bernalillo County. It is the third-largest city in New Mexico, and one of the most rapidly growing.

Demographic Characteristics[1]

Rio Rancho has an estimated total population of 105,839 as of 2021. The total population within Rio Rancho increased 20.8% (16,920 residents) from the 2010 Census. Rio Rancho grew faster than both Sandoval County (13.13%) and the State of New Mexico (2.83%) between 2010 and 2020.

Rio Rancho's population is evenly divided by gender, with 50.1% of the population identifying as female and 49.9% identifying as male. Rio Rancho has a higher portion of residents who are military veterans (11.1%) than the State (8.8%). Disabled residents comprise 14% of the city's population whereas 16% of the State's population has one or more disabilities.

Rio Rancho is a stable community with most residents remaining is the same home year over year. In the 2020 Census, 88% of Rio Rancho residents reported that they lived in the same house in the past year whereas only 12% of residents lived in a different house 1 year ago. Of the latter, an estimated 5.4% came from Sandoval County and 6.3% from a different county. Of these different county migrants, 3.6% moved from a different county within New Mexico, 2.7% moved from a different State, and less than 1% moved from a foreign country.

[1] This Studyuses 2010 and 2020 U.S. Census data as well as 1-year and 5-year American Community Survey data to review changes to the population, race, ethnicity, age, and educational attainment of the residents of Rio Rancho.

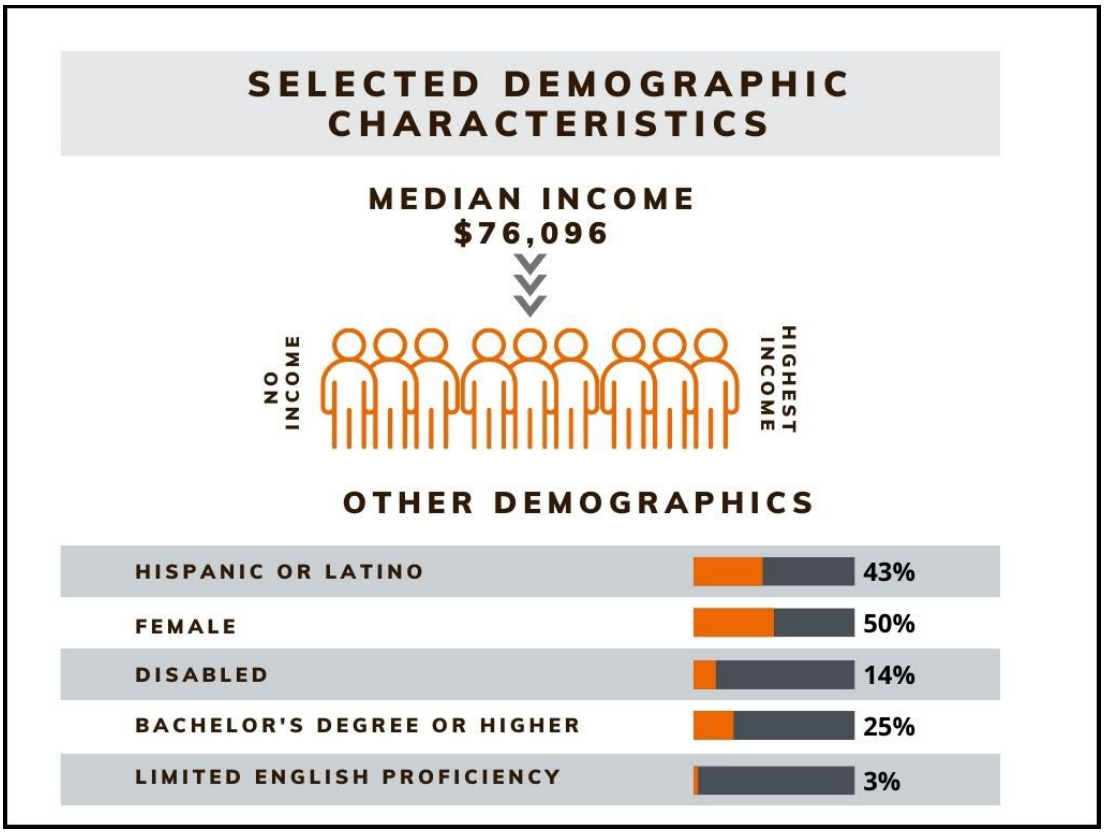


Figure 1: Selected Demographic Characteristics of Residents

Additional demographic information is as follows:

Race/ethnicity

In 2021, 42.5% of the city's population identified as Hispanic or Latino and 57.5% identified as Not Hispanic or Latino.

Age

The following table shows the age breakdown of the Rio Rancho population for 2010 and 2021:

Age Cohort	2010	% of Total	2021	% of Total	% Change
Under Age 5	6,157	7%	5,262	5%	-15%
5 to 19	21,637	25%	22,617	21%	5%
20 to 49	34,742	39%	40,854	39%	18%
50 to 64	15,392	17%	19,336	18%	26%
65 and over	10,027	11%	17,770	17%	77%
Total	87,955	100%	105839	100%	20%
Median Age	36		39		

Figure 2: Trends in City Population by Age Cohorts

The data shows Rio Rancho experienced population growth in each age cohort except for the youngest residents (*Under Age 5*). A 15% decrease in this cohort has been more than replaced by population increases in all other age cohorts.

Rio Rancho's older population has grown at a higher rate than its younger population. For example, the population of residents aged *65 and over* grew by 77% over the past decade, while the population aged *5 to 19* only grew at 5%.

Older residents now make up a larger percentage of the overall population. Whereas residents aged *65 and over* comprised 11% of the city's population in 2010, they now comprise 17% of the city's population. Age cohorts *20 to 49* and *50 to 64* remained stable as percentages of the total Rio Rancho population. If these population growth trends hold, Rio Rancho's population is likely to resemble what it was in the 1960s and 1970s – a retirement community. The following graphic depicts the population trends for all age cohorts from 2010 to 2020.

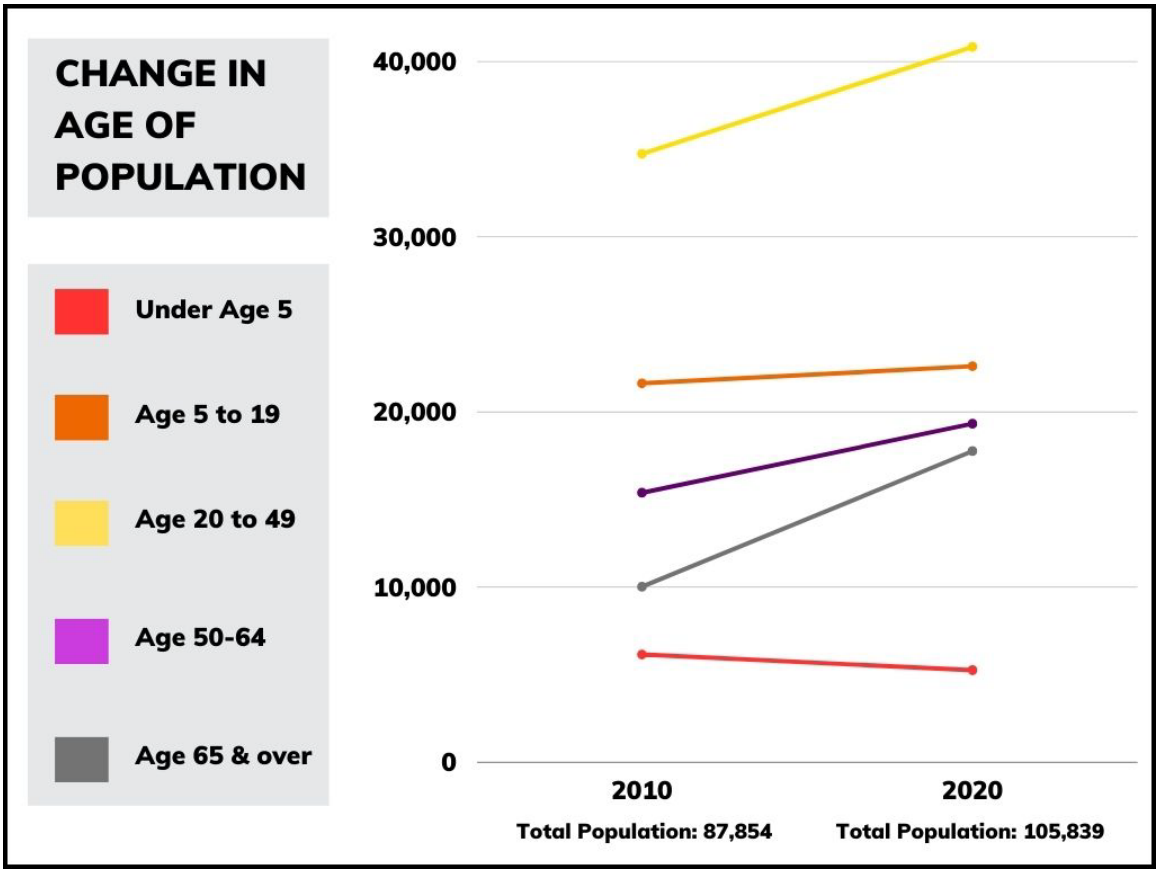


Figure 3: Trends in City Population by Age Cohorts (Visualization)

A future where a significant proportion of City residents are on fixed incomes and empty nesters will impact service needs, housing needs and the tax base. For example, older residents may need accessibility improvements to remain in their homes. Additionally, the city's property tax base will be impacted if more homeowners qualify for the state's property tax freeze that is offered to low-income, elderly homeowners.

School Enrollment

School enrollment in Rio Rancho is shown in the following table:

While total school enrollment has increased 17% between 2010 and 2020, enrollment at nursery/preschool and kindergarten has dropped significantly (-12%). This enrollment decline for the youngest children aligns with the decline in total population under age 5. This very young population has been replaced by higher enrollment in grades 1-12 and college or graduate school.

School Enrollment	2010	2020	Change from 2010 to 2020 (%)
Population 3 years or older enrolled in school	23,667	27,751	17%
Nursery/Pre-school	1,583	1,387	-12%
Kindergarten	1,415	1,236	-12%
Grades 1 – 8	9,967	10,982	10%
Grades 9 – 12	5,404	6,202	15%
College or Grad School	5,298	7,944	50%

Figure 4: Trends in School Enrollment

Looking deeper into the numbers in school enrollment, the estimated decline of 375 students in Pre-school and Kindergarten has been replaced by an estimated increase in enrollment in Grades 1-12 of 1,813 students over the past decade. This is likely correlated to an aging of the population in Rio Rancho over the past decade. An older, in-place population has older children in higher grades and in post- secondary education.

An alternative (or additional factor) impacting school enrollment may be that Rio Rancho is attractive to households with children in Grades 1-12. Young families may rent or own a home in Albuquerque when their first child is young and then move into Rio Rancho when their child reaches school age. Families with older children may desire to live in neighborhoods that have ample parking for teenaged drivers and that offer public or private amenities such as basketball courts, skate parks, and libraries with maker spaces and study rooms. In comparison, families with younger children may seek out neighborhoods close to public playgrounds and aquatic centers.

Households and Families

Difference between definition of "household" and "family" – Whereas households refer to one person or group of people living in a housing unit, families are groups of two or more related people who live together. Generally, households that do not contain a family are made up of unrelated people living together (e.g., roommates) or people living alone. While it is possible for two families to share a household, the difference between the number of households and the number of families in an area shows, approximately, the number of non-family households in community.

The table below shows the breakdown of households, families, and non-family households in Rio Rancho in 2010 and 2021.

	2010	2021	% Change
Households	32,232	40,013	24%
Non-Family Households	8,964	10,946	6%
Families	23,270	29,067	18%

Figure 5: Trends in Household Composition

The composition of households in Rio Rancho is as follows:

- 1-person household 8,671 (22% of total population)
- 2-person household 12,721 (31% of total population)
- 3-person household 5,822 (15% of total population)
- 4 or more-person household 12,799 (32% of total population)

As will be discussed in the Housing Needs Assessment, there is a large mismatch between the types of households that live in Rio Rancho and the existing housing inventory.

Economic Characteristics

Household Income

Households in Rio Rancho have significantly higher incomes when compared to incomes throughout the State of New Mexico. According to the most recent census data, the median household income for Rio Rancho rose from $53,998 in 2010 to $76,096 in 2021. For comparative purposes, the statewide median household income rose from $42,090 in 2010 to $53,992 in 2021. Thus, the median household income has grown 40% in Rio Rancho over the past decade whereas it has only grown 28% at the statewide level.

Approximately 49% of all households in Rio Rancho had an annual income of less than $75,000 per year. This is improved from 67% of all Rio Rancho households having less than $75,000 annual income per year in 2010. The number of households in Rio Rancho with annual incomes of less than $75,000 per year in 2021 (49%) is considerably less than the same statistic of 63% all households in the state. Rio Rancho also has a significant share of higher-income households; specifically, 36% of all households in Rio Rancho had annual incomes of $100,000 or more in 2021. In 2010, only 20% of all households had annual incomes of $100,000 or more.

Family Income

The median family income for the City of Rio Rancho rose from $60,123 in 2010 to $83,767 in 2021. For comparative purposes, the statewide median family income was $62,611 per the 2020 Census. Families tend to have higher incomes than households because households may be composed of a single person earning one wage (or receiving public benefits), whereas a family necessarily includes at least two people, both of whom may be wage earners.

The Census also disaggregates Rio Rancho median incomes by the following household and family types:

- Households = $76,096
- Families = $83,767

- Married couple families = $97,280
- Nonfamily households - $50,612

Source of Income

Households have incomes of varying amounts and from different sources. Sources of income include earnings (defined as wages from employment or self-employment), retirement and investments, and social security benefits. The table below shows estimated sources of income for Rio Rancho residents.

Source of Income	2010	% of HHs	2021	% of HHs	Change from 2010 to 2020	
					$	%
Households	32,234		40,013		7,779	24%
Median HH Income	$53,998		$76,096		$22,098	40%
Avg HH Income	$74,393		$92,818		$18,425	24%
HH with Wages/Salaries	25,046	78%	30,426	76%	5,380	21%
Avg Wage/Salary Earnings	$68,345		$86,000		$17,654	26%
HH with Retirement Income	5,963	19%	12,067	30%	7,104	119%
Avg Retirement Income	$24,972		$27,171		$2,198	8%
HH with Interest, Dividends & Rental Income (IDR)	6,769	21%	8,021	20%	1,252	18%
Avg IDR Income	$32,626		$31,057		($1,569)	-5%
HH with Social Security Income	8,059	25%	13,708	34%	5,649	70%
Avg Social Security Income	$17,367		$22,135		$4,768	27%
HH with Supplemental Security Income (SSI)	1,289	4%	1,285	3%	-4	0%
Avg SSI Income	$9,170		$8,523		($647)	-7%
HH with Cash Public Assistance (CPA)	516	2%	3,801	10%	3,285	636%
Avg CPA Income	$1,602		$6,507		$4,905	306%

Figure 6: Trends in Sources of Income

***Note** - Many households may receive income from more than a single source.*

A review of the changes in sources of income for residents of Rio Rancho over the past decade provides several interesting findings. From 2010 to 2021:

- The number of households with income from *Earnings* (wages from employment) increased, but slightly decreased as a percentage of total households in Rio Rancho from 78% to 76%.
- The number of households with income from *Retirement* more than doubled and increased as a percentage of total households in Rio Rancho from 19% to 30%.
- Similarly, the number of households with income from *Social Security* increased in total numbers and as a percentage of total households in Rio Rancho from 25% to 34%.
- The number of households with income from *Interest, Dividends and Rental Income* (IDR) grew at a lower rate than other forms of income and remained stable as a percentage of total households.
- The number of households with income from *Cash Public Assistance* increased dramatically from 516 to 3,801 and increased as a percentage of total households from 2% to 9.5%.

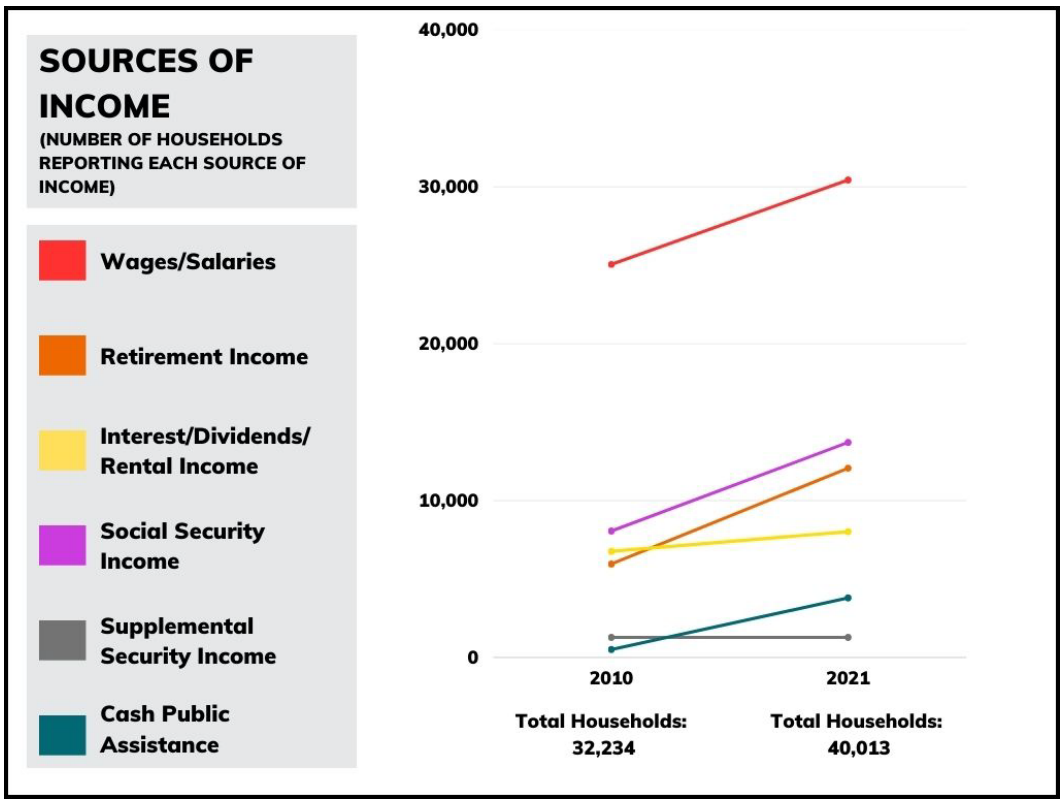


Figure 7: Trends in Sources of Income by Number of Households

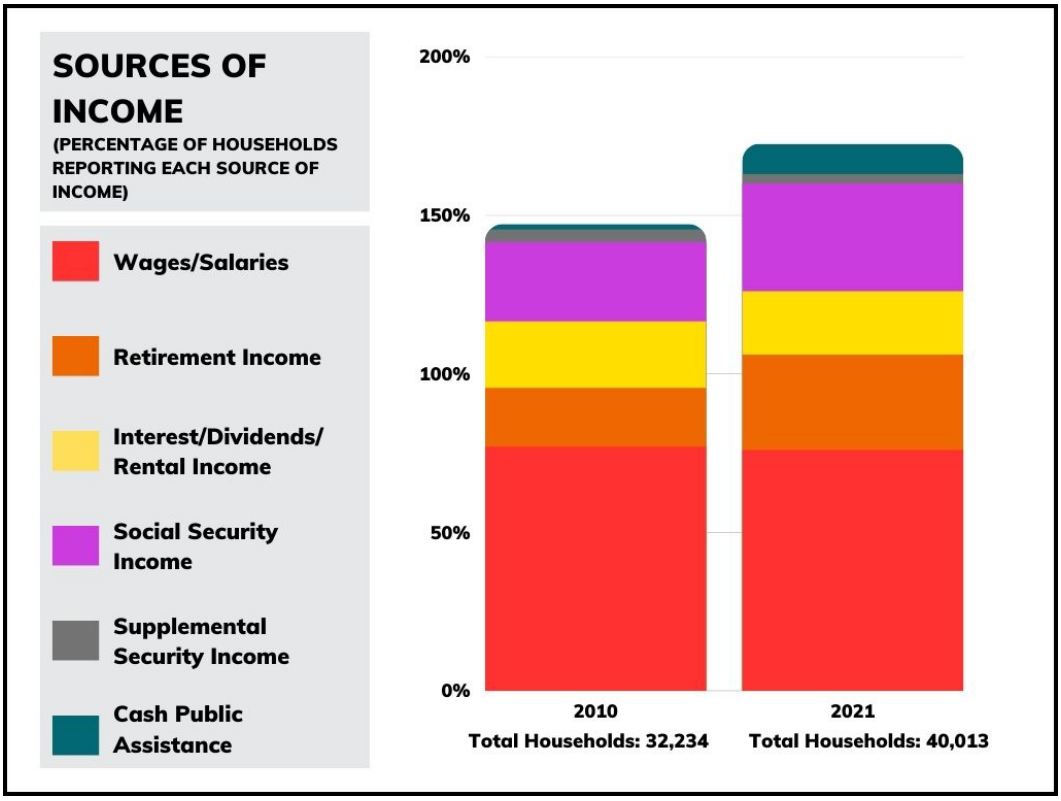


Figure 8: Trends in Sources of Income by Percentage of Households

This income trend analysis reveals that sources of household income are changing as the age demographic in Rio Rancho trends older. Thus, income from work-related activities such as *Earnings* (wages and salaries) is declining because a smaller percentage of the population is of working age. It follows that income from non-employment sources (e.g., *Retirement, Social Security, IDR* and *SSI*) are becoming increasingly influential in household budgets.

It is also important to note that non-employment sources of income such as *Retirement, Social Security* and *SSI*, are usually fixed sources of income. Households reliant on fixed incomes are more likely to be negatively impacted by rising home prices and rents (especially when these housing costs escalate rapidly). Even in instances where a homeowner on a fixed income is not impacted by rising housing prices because they have a fixed mortgage payment or no mortgage payment, they can still be negatively impacted by rising property tax bills and home maintenance expenses.

Another method of understanding income and earnings is to review tax returns for specific zip codes. An analysis of 2019 tax returns filed in the City of Rio Rancho finds:

- 30% of filers had adjusted gross income of less $25,000 per year ($12,465 average)
- 25% of filers had adjusted gross income between $25,001 and $50,000 per year ($36,549 average)
- 16% of filers had adjusted gross income between $50,001 and $75,000 per year ($61,762 average)

In summary, 71% of tax returns filed in Rio Rancho from 2019 had adjusted gross income (AGI) of less than $75,000. For this cohort, average AGI per return was $37,000. The remaining 29% of tax returns from Rio Rancho had average AGI of $184,000.

The average household size of those reporting AGI less than $75,000 was 1.7 people and for those reporting AGI of more than $75,000 was 2.70. Ninety percent of single filers and 86% of those filing as head of household reported AGI of less than $75,000. Sixty five percent of tax returns filed by those over age 60 had AGI of less than $75,000 ($37,000 average).

In summary, Rio Rancho has an increasing number of residents over age 65. They report less AGI and are more likely to be rely on unearned, fixed income (e.g. retirement, interest/dividends/rents, and social security income). Those with lower incomes are less likely to be able afford maintenance/upkeep on their homes without facing significant financial hardships.

Poverty

The federal government sets "poverty guidelines" to determine eligibility for various benefits available to low-income U.S. citizens and qualified immigrants. The poverty guidelines are based upon the number of **For families/households with more than 8 persons, add $5,140 for each additional person.* people included in a "household" and the annual income earned by all the household members. The guidelines are recalculated yearly. The following chart shows the 2023 Federal Poverty Guidelines (U.S. Dept of Health & Human Services) for the 48 contiguous states.

Household/ Family Size	Poverty Guideline
1	$14,580
2	$19,720
3	$24,860
4	$30,000
5	$35,140
6	$40,280
7	$45,240
8	$50,560

Figure 9: Poverty Guidelines by Household Size

Approximately 6% of individuals residing in Rio Rancho (6,425 residents) and 9% of households (3,801 households) live at or below the U.S. poverty level. Local poverty rates are well below statewide poverty rates where 18.4% of individuals live below the poverty level.

Notably, the *Source of Income* table on the prior page demonstrates a significant increase in population and households that receive Social Security, SSI, and/or Cash Public Assistance and are living at or below the Federal Poverty Guidelines.

Employment

Roughly 47,272 Rio Rancho residents aged 16 and over are employed. 67% of these individuals are employees of private sector businesses; 19.7% work in local, state and federal government; 7.6% work in the private not-for-profit sector; and 2.3% are self-employed in an incorporated business. Data from the Bureau of Labor Statistics shows the March 2023 unemployment rate in Rio Rancho was 3.4%, which was not significantly different than the national and statewide unemployment rate of 3.5%.

The table on the next page shows the top 10 employment industries for residents of Rio Rancho and the State. Data is shown as percent of total labor force employed in the industry as a percentage of the total available labor force.

Industry	Rio Rancho	New Mexico
Educational services, and health care and social assistance	23.3%	25.8%
Professional, scientific, and management, and administrative and waste management services	12.1%	13.5%
Finance and insurance, and real estate and rental and leasing	9.8%	4.7%
Public administration	9.4%	8.4%
Arts, entertainment, and recreation, and accommodation and food services	9.0%	9.2%
Retail trade	7.8%	10.4%
Construction	7.6%	7.2%
Manufacturing	6.4%	4.0%
Transportation and warehousing, and utilities	5.5%	5.2%
Other services, except public administration	3.3%	4.5%
Wholesale trade	3.0%	1.8%

Figure 10: Employment of Residents by Industry

The table above shows over 40% of people employed in Rio Rancho work in industries that traditionally pay low wages and/or require low skills such as: *healthcare, education and social assistance*; *retail*, and *arts, entertainment, recreation, and accommodation and food services*. It must also be noted that many employers in all industries hire at entry level positions which pay lower wages. Detailed employment and wage information can be found at the Bureau of Labor Statistics but only for the Albuquerque MSA.

Housing Characteristics

Housing Units and Vacancy

In 2010, there were 34,156 housing units located within Rio Rancho and 95% of the units were occupied. By 2021, that number had risen to 40,978 housing units and nearly 98% of the units were occupied.

The vast majority of the city's housing units are *1-unit detached units*, which are traditional, single-family homes. Only 5% of Rio Rancho's housing inventory consists of housing units located within larger apartment complexes with 10 or more units. Likewise, Rio Rancho has very few housing units located within "missing middle" housing types - such as townhomes, duplexes, and triplexes - that bridge the gap between detached single-family homes and apartment complexes.

A lack of diversity of housing types can negatively impact housing affordability. Detached single-family housing is often built on large lots, which raises the purchase price for the home since the purchase price includes both the value of the structure and the value of the land upon which the structure sits.

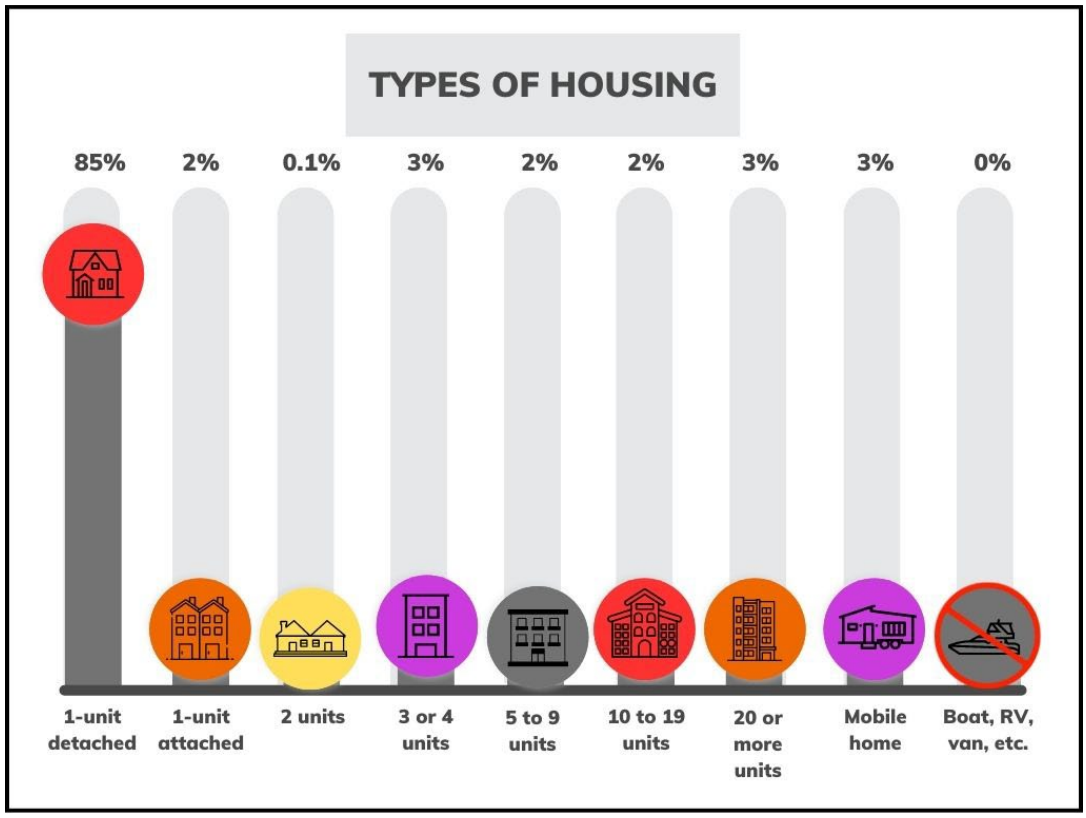


Figure 11: Types of Housing in the City

Another manner of slicing the data related to the city's housing inventory is to examine the number of bedrooms per housing unit. Because the majority of the city's housing stock consists of detached, single-family homes, it is unsurprising that housing units in Rio Rancho tend to have multiple bedrooms. In fact, over 75% of the city's housing units have three or more bedrooms.

Just as the lack of diversity of housing types negatively impacts housing affordability, so does the lack of smaller housing units. Smaller housing units – such as studio apartments and one-bedroom apartments or condominiums – often rent or sell at lower price points as compared to larger units.
Likewise, the lack of smaller units within the city may impact available housing supply (and therefore, housing affordability) by deterring aging homeowners from downsizing from their large single-family homes into a smaller apartment or condominium units.

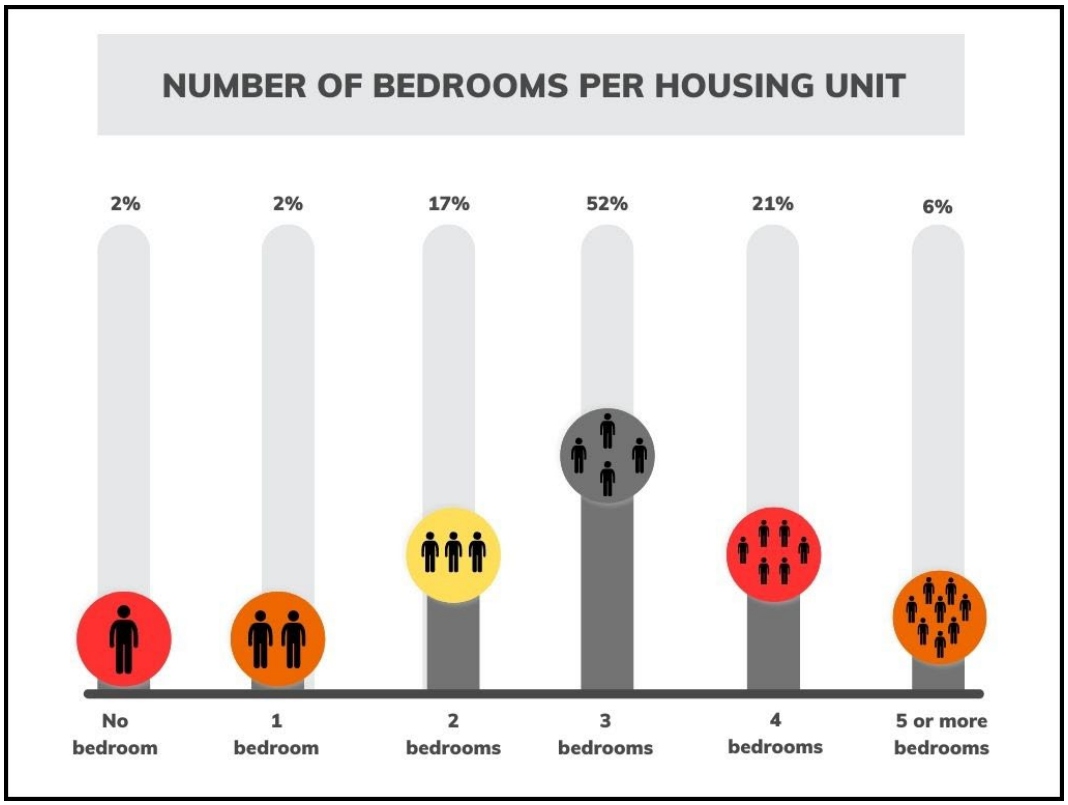


Figure 12: Number of Bedrooms Per Housing Unit

Residential Construction

According to city permit data, there have been 30,870 single family residential housing starts since 1985. Housing construction has ebbed and flowed with economic conditions. For example, Rio Rancho saw a 5-year burst of single-family construction from 2003 to 2007. During this construction period more than 1,000 homes per year were built, with a peak of 3,084 single family home permits being issued in 2005.

The 2008 Recession negatively impacted the pace of single-family home construction in Rio Rancho. By 2011, single-family housing starts had dropped to a low of 301. As the country entered a period of economic recovery beginning in 2012, housing starts in Rio Rancho steadily increased to 400-500 per year. Then, in 2020, single-family home construction began to heat up again. There were 901 single-family housing starts in 2020 and 1,054 single family housing starts in 2021.

The graphic on the next page depicts the age of the City's entire housing stock. The data correlates with the city's historical single family new construction permit data; specifically, over one quarter of the City's housing units were constructed during the building boom between 2000-2009.

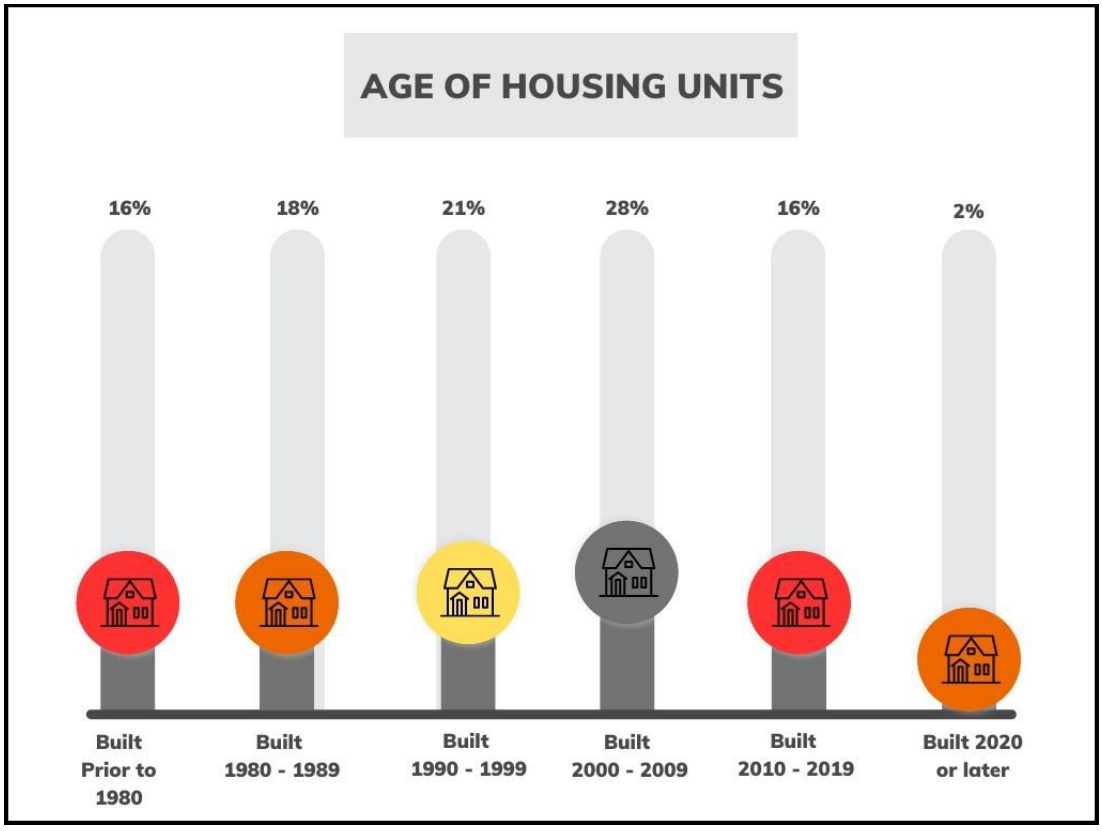


Figure 13: Age of Housing Units

Tenure, Household Size and Mobility of Residents

Rio Rancho is primarily occupied by residents who own their homes. In 2021, 81% of Rio Rancho households owned their home. The remaining 19% of housing units were occupied by renters. The percentage of owners has not changed significantly from 2010 when 79.2% of housing units were occupied by owners.

Owner-households tend to be slightly smaller than renter-households. In 2021, the average household size of owner-occupied housing units was 2.52 versus 3.14 for renter-occupied housing units. In 2010, the average household size of owner-occupied units was 2.65 versus 3.02 for renter occupied housing units.

Year Moved into Unit		
Total Occupied Housing Units	**40,013**	
	#	**%**
2020 or later	10,163	25%
2015 to 2019	12,684	32%
2010 to 2014	5,801	15%
2000 to 2009	5,361	13%
1990 to 1999	3,921	10%
1989 and earlier	2,121	5%

Figure 14: Year Resident Moved into Housing Unit

The table below displays data related to the year city residents moved into their housing unit. Nearly 75% of city residents moved into their unit since 2010, which aligns with population trend data showing that the city's population has grown by nearly 21% since 2010.

Housing Cost - Residential Housing Market Sales

An analysis from the real estate firm Redfin[2] notes that the median home price in Rio Rancho in April 2023 was $350,000 (an increase of 5.7% over April 2022). Despite its steady increase, the city's median home sale price is still 13% lower than the national average, according to Redfin. Redfins reports, "*The Rio Rancho housing market is somewhat competitive. Homes in Rio Rancho receive 2 offers on average and sell in around 35.5 days…The median sale price per square foot in Rio Rancho is $199, up 8.2% since last year.*"

Rio Rancho Housing Market Analysis											
	2018	2019	% Change	2020	% Change	2021	% Change	2022	% Change	2023 (through 4/11)	% Change
Sales Per Year	1,209	2,395	98%	2,543	6%	2,714	7%	1,940	-29%	405	
Average Days on Market	80	77		75		67		55		38	
Average List Price	$219,757	$235,693	7%	$256,467	9%	$305,582	19%	$356,737	17%	$372,331	4%
Average Closing Price	$216,125	$232,766	8%	$255,213	10%	$308,248	21%	$358,705	16%	$369,479	3%
Avg Close Price/List Price	98.3%	98.8%		99.5%		100.9%		100.6%		99.2%	
Median List Price	$195,000	$215,000	10%	$239,900	12%	$280,000	17%	$329,700	18%	$340,000	3%
Median Closing Price	$192,000	$212,500	11%	$238,000	12%	$285,000	20%	$330,000	16%	$338,330	3%
Median Close Price/List Price	98.5%	98.8%		99.2%		101.8%		100.1%		99.5%	

Figure 15: Housing Market Analysis Through April 11, 2023

The data is included in ***Figure 15***[3] provided by the local chapter of Homewise, Inc. shows similar statistics to the Redfin analysis. The *median closing price* has risen from $192,000 in 2018 to a high of $338,330 in the second quarter of 2023. Additionally, in Rio Rancho the *average days on market* has steadily declined year over year. Both data points – rising *median closing price* and decreasing *average days on market* - indicate a strong demand for housing in Rio Rancho.

Annual home sales in 2019, 2020, and 2021 were more than two times that of 2018. Likewise, the *average and median closing price* exceeded the *average and median list price* in 2021 and 2022. Buyers paid a premium to acquire a home in these years as demand exceeded supply of homes for sale. In 2021 and 2022 cash sales were 13% and 18% of all homes sales.

However, annual home sales fell 29% (774 units) between 2021 and 2022. This recent decline in home sales is likely related to rising interest rates, which has locked many existing homeowners into their

[2] https://www.redfin.com/city/16268/NM/Rio-Rancho/housing-market

[3] Data provided by Homewise,. https://homewise.org.

current home because they are unwilling to trade a 2-4% mortgage interest rate for a 6-7% interest rate. Homeowners' unwillingness to sell led to less for-sale inventory in the market. Likewise, the decline in annual sales may also indicate that homebuyers are unable to afford to purchase a home in Rio Rancho due to high mortgage interest rates and rising household expenses such as groceries and childcare.

Residents of Rio Rancho who owned their home prior to 2018 are considerably wealthier due to rising home values. Homeowner's home equity position increased $142,580 (65%) based on average closing price statistics and $141,000 (73%) based on median closing price from 2018 to 2022. Nevertheless, existing Rio Rancho homeowners' ability to move up in the housing market is constrained by high prices and high interest rates. It follows that potential Rio Rancho first-time homebuyers are still struggling to enter the home ownership market.

Housing Cost - Rents

As discussed earlier, approximately 19% of households in Rio Rancho are renters. This percentage is significantly lower than the statewide share of population that are renters, which is 32%. The share of Rio Rancho households who rent has remained fairly stable over the past decade –decreasing slightly from 19.8% in 2010 to 19% in 2021.

The share of households who rent varies substantially by age. In Rio Rancho, as of 2021, households headed by an individual aged 15-24 were the most likely to rent (51.6%) while households headed by an individual aged 65-74 were the least likely to rent (13.7%).

Moody's Analytics, a national economics research firm, tracks numerous data points related to commercial real estate, including multifamily residential real estate. According to Moody's Analytics, the City of Rio Rancho is located in the Northwest Albuquerque apartment submarket. A submarket is a distinct part of a larger market (Albuquerque) with similar properties that tend to compete against one another for tenants.

According to Moody's data as of March 31, 2023, this submarket contained 8,566 units or 21% of the metro Albuquerque's total inventory of market rate rental apartments. Moody's estimates that in the decade since Q1 2013, 1,158 units have been added to the submarket inventory. This equates to annualized growth of 1.5% compared to 0.8% growth for the entire metro Albuquerque. The average vacancy in the submarket was reported at 1.6% (137 units). Over the past 3 months, submarket absorption totaled 55 units, less than half of the average annual absorption rate of 134 units recorded since the beginning of Q2 2013.

Asking rents in the Northwest submarket have risen significantly since 2018, when the average asking rent was $922. The average asking rent in the submarket is currently $1,359, which is higher than the Albuquerque metro's average of $1,270. Between now and year-end 2023 asking rents are expected to climb 3.3% to a level of $1,404. On an annualized basis asking and effective rents are expected to increase by 4% through 2025 reaching average rates of $1,487 and $1,518.

Moody's forecasts average asking rent per unit to be higher ($100-$150 month) than that of the Albuquerque MSA through 2028.

The following table displays historical asking rent data along with forecasted asking rent data from both the Northwest submarket and the broader Albuquerque submarket.

Year	Asking Rent per Unit	Vacancy %	Asking Rent per Unit	Vacancy %
	Northwest		Albuquerque	
2008	$758.00	7.00%	$709.16	5.90%
2009	$736.06	7.00%	$706.06	6.90%
2010	$751.70	6.20%	$715.96	4.70%
2011	$758.43	5.10%	$725.11	4.30%
2012	$762.93	4.70%	$738.31	4.20%
2013	$785.09	5.60%	$754.12	4.30%
2014	$799.15	3.60%	$766.96	3.50%
2015	$825.20	6.60%	$784.45	4.20%
2016	$843.42	5.40%	$813.59	3.80%
2017	$858.36	4.70%	$826.12	4.30%
2018	$921.82	6.10%	$869.71	5.00%
2019	$984.61	4.00%	$903.50	4.50%
2020	$1,019.61	3.40%	$918.27	3.30%
2021	$1,303.76	2.10%	$1,145.24	3.00%
2022	$1,402.24	1.80%	$1,282.75	1.90%
2023	$1,403.59	2.20%	$1,305.00	2.50%
2024	$1,448.85	2.60%	$1,343.00	2.70%
2025	$1,518.40	3.10%	$1,381.00	3.00%
2026	$1,583.69	3.50%	$1,425.00	3.20%
2027	$1,635.79	3.70%	$1,462.00	3.40%
2028	$1,678.32	4.90%	$1,501.00	3.30%

Figure 15: Asking Rent Trends for Northwest Submarket and Albuquerque Market

Recently, rents increased have started to cool. Asking rents actually fell every month (totaling about 3.1% decrease) in the first quarter of 2023. The submarket's mean unit prices are as follows:

- Studio $980mo/$11,760 year
- 1-bedroom $1,225/$14,700 year
- 2-bedroom $1,432/$17,184 year
- 3-bedroom $1,645/$19,740 year

Moody's also tracks apartment construction activity. It forecasts that builders will deliver 158 units to the Northwest submarket by the end of 2023, and net total absorption will be a positive 106 units. As a result of the delivery of new rental units, the vacancy rate is projected to drift slightly upward from 1.6% to 2.2%. During 2024 and 2025, developers are expected to deliver a total of 176 additional units of market rate rental apartments to the submarket. The submarket vacancy rate is forecasted to rise to 3.1% in 2025. From a practical standpoint, a 2.2% or even a 3.1% vacancy rate means that prospective renters will have difficulty finding available multifamily rental units in the city.

The table below shows the Northwest submarket inventory since 2019.

Year	Inventory	Inventory Growth	Vacant Stock	Occupied Stock	Net Absorption
2019	8,514	0	343	8,171	180
2020	8,566	52	287	8,279	108
2021	8,566	0	182	8,384	105
2022	8,566	0	155	8,411	27

Figure 16: Northwest Submarket Inventory

Summary

Seventy four percent of respondents of a survey Rio Rancho residents (conducted by NDC, June 2022) agreed or strongly agree that finding affordable housing is a problem in the City of Rio Rancho. This is reflective of the socio-economic and housing cost trends presented in the preceding sections. At the time of this Plan, demand for affordable for sale and rental housing exceeds the supply of affordable housing. Therefore, the cost of for sale homes and rental units have escalated, pricing individuals, households, and families out of the market. This is a problem for Rio Rancho residents and businesses.

Housing that is affordable provides many community benefits. When asked about these benefits in a survey of Rio Rancho residents conducted by NDC in June 2022, respondents listed in rank order:

- 89% - Our schools benefit when students have stable housing.
- 83% - Our local tax base improves when corporations relocate or expand here because they know that their employees will be able to find housing that is affordable.
- 82% - Families benefit because they can spend more of their income on education, health care and child-care.
- 81% - Our community benefits when entrepreneurs move here because they can afford a starter home.

The following sections of this Plan seek to address the constraints to development of affordable housing in Rio Rancho.

Land Use Policy Review & Development Cost Review

This section contains an analysis of the land use policies and development costs within the City of Rio Rancho to identify practices that may be creating impediments to the production of affordable housing and make recommendations for policies the City can adopt to encourage and incentivize private-sector developers to build a range of housing types within the City of Rio Rancho. Changes to development standards and codes may encourage developers to deviate from the proven model of market-rate single-family home development, which currently predominates in Rio Rancho, and increase their production of higher-density housing – such as townhomes, duplexes and multifamily complexes. However, due to Rio Rancho's strong real estate market, it is unlikely that such townhomes, duplexes and multifamily complexes would be offered for sale or lease at rates that are affordable for a low- or moderate-income household.

Therefore, in order to encourage private developers to offer their housing product for sale or lease at rates that are affordable for low- or moderate-income households, the City will likely need to couple changes to development standards and codes with additional targeted policies and financial incentives.

Land Use Policy Review

Present State of Parcels, Infrastructure, and Use

Prior to the state of New Mexico's adoption of the State Subdivision Act in 1973, which requires that subdivisions and development be supported by adequate infrastructure, a New York-based firm purchased thousands of acres in what would later be incorporated as Rio Rancho. One-half and full acre lots were sold to absentee investors through a mail order business in the 1960s and early 1970s. These lots were exempt from the 1973 Act, and as a result, many of the privately-developed homes built in the original geographic boundaries of Rio Rancho lack public infrastructure meeting today's development standards, including paved roads, stormwater management, water/sewer connections, and designated recreational space. Referred to as "antiquated platting" in Rio Rancho's 2011 Comprehensive Plan, this land development process created challenges that include vacant land with difficult-to-locate owners interspersed throughout established neighborhoods, inadequate infrastructure within neighborhoods, and very low population density per square mile.

Thus, approximately 20% of the City's total acreage is currently developed, but fewer than 100 parcels of consolidated undeveloped land consisting of more than 10 acres are available; more than 20,000 one-acre or smaller lots have no infrastructure and owners scattered around the world. With limited municipal eminent domain powers granted by New Mexico's state legislature, Rio Rancho's ability to pursue strategic infill development and provide a mix of uses on the land sold as single family lots prior to incorporation is very constrained. Therefore, new Planned Unit Developments (PUDs) on available consolidated parcels of land along with City services leading to them, have promoted sprawling land use patterns and an inefficient provision of services.

Special Assessment Districts (SADs) are one means of addressing inadequate infrastructure in otherwise established neighborhoods. SADs have been designated in several Rio Rancho neighborhoods, allowing the city to issue bonds for infrastructure improvements. The debt is serviced through assessments on land included in the District that are paid by homeowners. However, SADs potentially present an affordability concern for existing homeowners who may be financially unprepared for the monthly assessments. Additionally, public infrastructure improvements within SADs increase the value of housing that may have

been relatively affordable for Rio Rancho residents. When properties within SADs become delinquent on their assessments, the City has the ability to acquire these properties through foreclosure.

Constraints to Affordable Development

Most of the land in Rio Rancho is zoned for single-family use with a maximum of one principal dwelling unit per lot plus one accessory dwelling unit (ADU) if certain conditions are met. The City of Rio Rancho's Multifamily Zoning map, prepared and accessed in May 2022, indicates areas of the City where the zoning allows multifamily construction. Note that the R-3: Mixed Residential Development designation (red) only allows multifamily development (up to 26 dwelling units per acre) as a conditional use, meaning that approval from the Governing Body is required.R-6 is the only zoning designation that allows multi-family development by right, but R-6 zoning also allows detached single-family homes. R-6 zoning permits multifamily dwelling units for sale or rent limited to 50 units per acre.

<u>Zoning Change Processes</u>

- Applications for a *conditional use permit* in R-3: Mixed Residential Development zoned areas are initially evaluated by staff who recommend approval or denial of development plans. The application is then forwarded to the Planning and Zoning Board, with staff's recommendation, which usually occurs about one month after the receipt of the application. After receiving a Planning and Zoning recommendation, conditional use cases advance to the Governing Body. After approval of the Governing Body, applicants may apply for a building permit.
    - Other conditional use permits do not require this same process
- Applications for a *variance* are initially evaluated by staff who recommend approval or denial of development plans. The application is then forwarded to the Planning and Zoning Board, with staff's recommendation, but the application does not have to be approved by the Governing Body. According to the Rio Rancho Municipal Code, variances from standards may be granted in the case of "exceptional physical condition[s] where the strict application of the requirements of this title would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of his land or building." Financial gain, loss, or savings; inconvenience upon the property owner; or impacts on personal comfort do not constitute practical difficulty or unnecessary hardship. Therefore, this process would not be beneficial to facilitating density that supports multifamily units.
- Applications for a *special use* are typically tied to an ordinance and a site plan must be approved by the Governing Body at a public hearing.
- **Public Role in the above processes** – Development Services staff notify surrounding property owners (typically those within 100 feet of the property in question) of any impending hearings via certified mail, priority mail, or informational postcards, depending on the request. Property owners are provided information 15 days before the public hearing, including a description of the request, a map of the property, and a map showing the nearby zoning. Owners can then submit written comments, which are forwarded to the applicant and board members as well as made available as a part of the hearing's online agenda packet. Members of the public are also encouraged to attend the hearings (in-person or virtually) so they can offer further public comments/directly ask any questions they have.

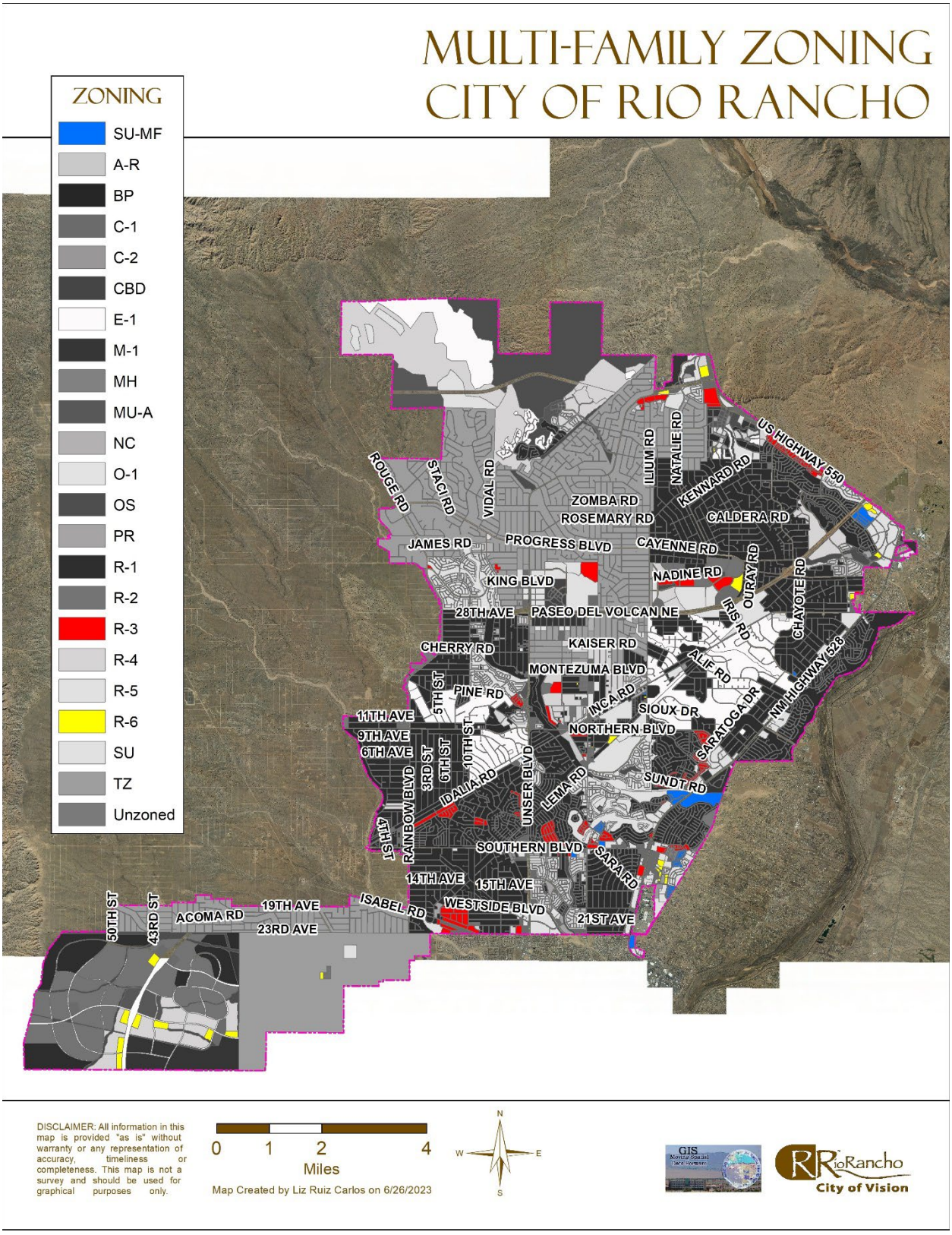


Figure 17: City of Rio Rancho Zoning Map (Multifamily Zoning)

A significant portion of the City is designated as a Transitional Zoning District (T-Z), which permits only low-density residential use (a single dwelling unit per parcel) on an interim basis. Conditional use or subdivision of property is not allowed in T-Z (consolidation is permitted). These areas may be prioritized for land use planning to enable realization of Comprehensive Plan growth projections. While there has been developer interest in building subdivisions in Transitional Zones, the City has held off on further development of T-Z land until it can be addressed and guided by the Comprehensive Plan.

The following maps (from the Mid Region Metropolitan Planning Organization) show the forecasted distribution of household and job growth throughout the region to 2040. Mid Region Metropolitan Planning forecasts that Sandoval County, led by the City of Rio Rancho, will hold onto its position as the fastest growing county in the region and state. Sandoval County/City of Rio Rancho are projected to experience 32% growth in new household formations and 20% job growth over a base year of 2016.

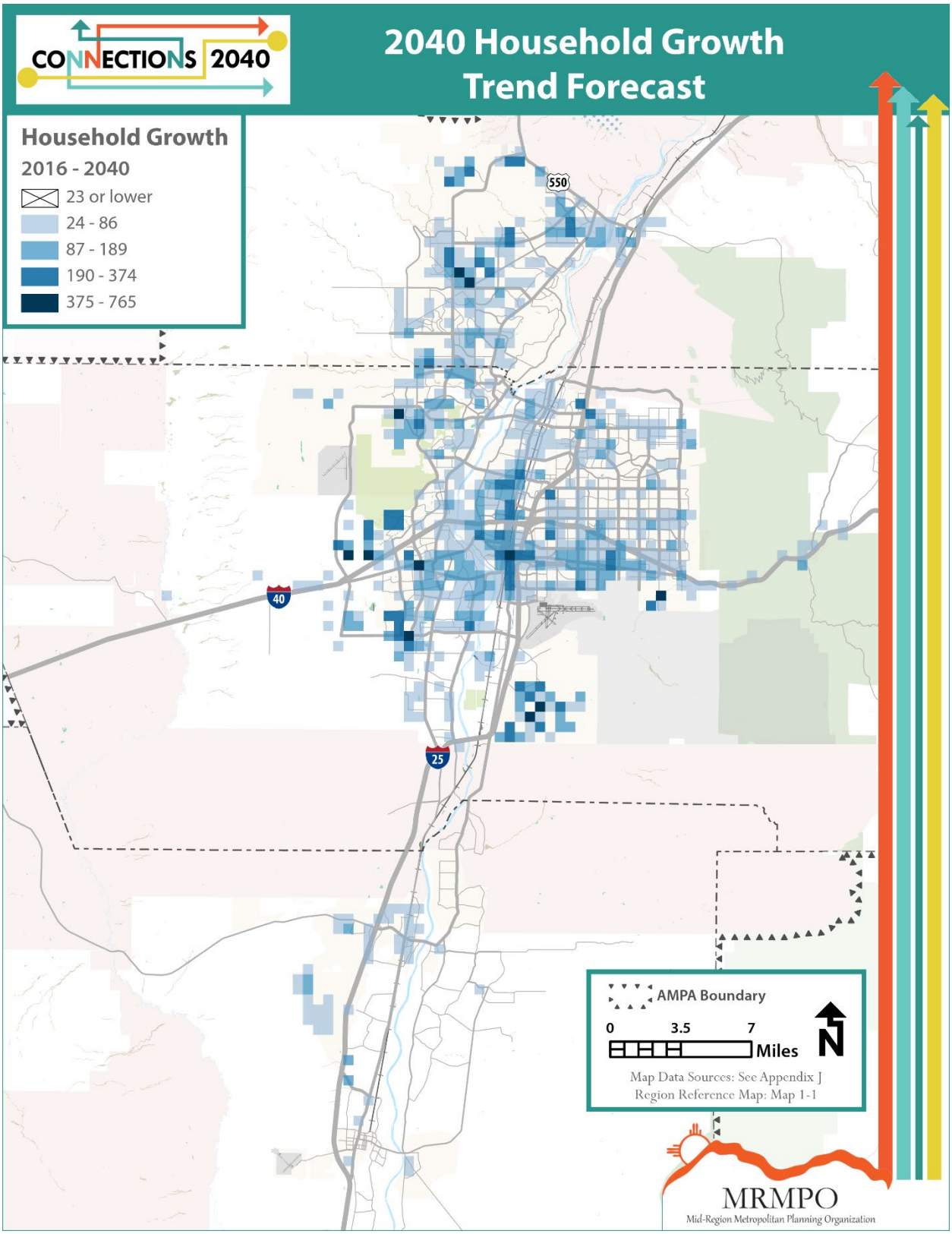


Figure 18: Mid-Region Metropolitan Planning Organization 2040 Household Growth Trend Forecast

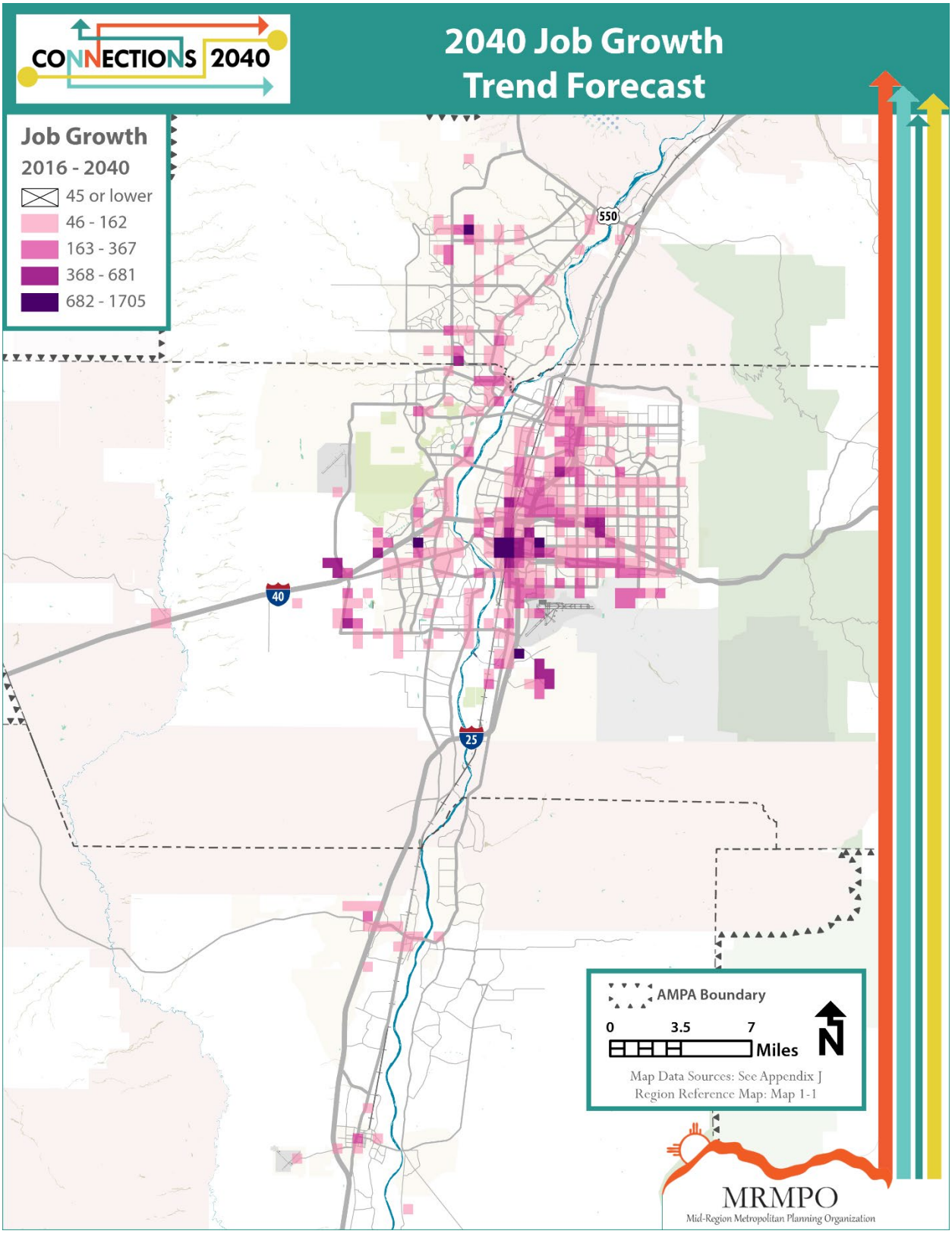


Figure 19: Mid-Region Metropolitan Planning Organization 2040 Job Growth Trend Forecast

In addition to any neighborhood or association covenants which are enforced privately, below are elements from the City's residential design criteria mentioned in the Rio Rancho Municipal Code that may impact the potential affordability of housing in Rio Rancho:

- Each dwelling unit must have either an attached or detached private garage structurally affixed to a permanent foundation of sufficient size park vehicles. The number of parking spaces shall be in accordance with off-street parking requirements...The garage shall have an external appearance and finish treatment similar to and consistent with the dwelling unit.
- Each single-family dwelling unit shall have exterior siding and roofing which, in color, materials and appearance, are comparable to the predominant materials in use on surrounding dwelling units, or if there is no predominance, are similar to the exterior siding and roofing material commonly in use on residential dwelling units in the community as a whole.
- All utility services and distribution lines shall be placed underground.
- Design criteria for landscaping include (per dwelling unit) a minimum of two trees, each of a minimum one and one-half inches in caliper (deciduous trees) or eight-foot-high conifers (evergreen trees), and three five-gallon shrubs.

Community Opposition

Like many communities in the United States where extensive single-family zoning is the status quo, a vocal contingency of Rio Rancho residents has publicly expressed “Not in My Backyard” (NIMBY) attitudes about affordable housing, or multifamily housing more generally. To the extent that residents with this mindset have sway over public officials who are responsible for approving conditional or special uses to allow the development of multifamily housing, NIMBY attitudes are a significant constraint on the production of housing typologies conducive to affordability in Rio Rancho. Local developers are most likely to stick with single-family developments, while multifamily developments are pursued largely by nonlocal or national developers. Staff consult comprehensive, master, and area plans when making recommendations, but ultimately the typologies built are largely at the discretion of the developers.

Limited Staff Capacity

There is currently limited capacity to implement and operate complex affordable housing programs as the City’s only housing programs use Community Development Block Grant (CDBG) funds. Rio Rancho has one full-time CDBG employee. The City does not operate or coordinate services for Housing Choice Vouchers holders. Funding for affordable housing programs is limited to CDBG funds, which have primarily been used to support the following housing activities:

- Provide support for individuals transitioning from homelessness to shelter through a partnership with the Sandoval County Permanent Supportive Housing program;
- Operate a Down Payment Assistance program that helps low-to-moderate-income Rio Rancho residents purchase their first homes;
- Conduct home repairs that are meant to alleviate financial burdens for Rio Rancho residents as they age in place.

The City does not operate any affordable housing development programs or provide direct assistance for low- or moderate-income renters who fall outside of the category of special needs individuals or families.

Opportunities to Incentivize Additional Density and Different Housing Typologies

"Missing Middle Housing" - The City's regulatory framework could proactively encourage and incentivize different housing typologies that may be offered for sale or lease at lower price points, including various degrees of multifamily and small-lot single family development. This "missing middle" housing includes typologies between single-family units and multifamily units that may be renter- or owner-occupied. This more efficient use of land and infrastructure (i.e. added density) decreases the cost of development, thus allowing the developer to charge lower rents or sale prices while still making a reasonable profit. In areas of the county such as Rio Rancho that have rapidly rising home prices, these structures – duplexes, townhomes, triplexes and fourplexes – represent some of the last opportunities for first-time homebuyers to access the home market at a price point that is affordable. It must be noted, however, that increasing the supply of "missing middle housing" does not solve housing affordability issues. Even if developers become interested in building more multifamily and "missing middle" housing, these units will likely be offered at market rates that are still not affordable for renters and buyers of lower incomes. Therefore, it is crucial that the City leverage financial resources and land use tools to prioritize, incentivize, and facilitate easier development of affordable housing options for residents.

The following residential zoning designations allow for multifamily construction at the indicated densities:

- R-3 (mixed residential district) – allows multifamily dwellings with a conditional use designation, provided there are not more than 26 units per acre, with a site plan reviewed by the Planning and Zoning Commission and approved by the Governing Body.
- R-6 (multi-family residential district) - permissive uses include multiple-family dwelling units for sale or rent that are attached, up to a density of 50 dwelling units/acre.

The multifamily densities allowed conditionally in R-3 and by right in R-6 are conducive to affordable housing development of a variety of typologies.

Tiny Homes and ADUs - An Accessory Dwelling Unit (ADU) is a secondary house located on the same lot as a larger, primary home. ADUs differ from other accessory structures such as sheds, pool houses, and workshops insofar as they contain all of the necessary facilities for a separate dwelling unit, including separate sleeping, eating and bathing facilities. Homeowners may be motivated to build an ADU in order to create separate living space for an aging parent or a college student who has returned home. Alternatively, they may want to tap into an additional source of income by renting out the ADU to a tenant.

In Rio Rancho, residents often refer to ADUs as "casitas." The city code defines an ADU as "a separate, complete housekeeping unit, attached or detached, which does not exceed 900 square feet or 50% of the primary structure, whichever is greater, and is on a lot 7,000 square feet or greater in area, but not a mobile home, with a separate entrance, kitchen, sleeping area and full bathroom facilities." The city code imposes several design and parking requirements on ADUs, including requiring an additional parking space that does not block a two-car garage and mandating that the ADU be constructed of materials similar (or same, depending on size of the ADU) in color and appearance to those used in the primary structure. Finally, the city also imposes impact fees on newly-constructed ADUs; these impact fees average $3-4,000 per structure (not including any applicable water and wastewater meters).

Until 2013, the Rio Rancho city code did not allow property owners to construct and occupy an accessory structure that contained a kitchen. Instead, the municipal code contained a definition for "Accessory Living Quarters" that specifically defined this type of use as "[l]iving quarters that do not contain a kitchen

located within an accessory building" (emphasis added). Furthermore, the former city code limited the use of accessory buildings in R-1 districts by stating that, "[t]here shall not be two separate and distinct dwelling units, each exclusively occupied by some family members." Since 2019 the City has issued 25 permits for accessory dwelling units.

The assessment of impact fees, cost of utility connections (particularly water and wastewater) as well as parking and foundation requirements all impact the const of constructing an ADU on a lot. Though property owners may be interested in leasing such a structure to recapture the costs of the investment, those costs might necessitate a higher monthly rent, minimizing the impact of ADUs as a strategy to boost affordable housing. The City should consider waiving the impact fee and rebating the cost of utility connections when an ADU will be offered for an affordable rent.

Infrastructure - As discussed in the prior section, antiquated platting has the tendency to create sprawling development patterns because new planned subdivisions must move outward to access consolidated areas of developable land. Sprawling development requires greater investment in building and maintaining the infrastructure to reach those areas. Homeowners may be faced with unexpected assessments to pay for infrastructure if their property is included in a Special Assessment District. Inadequate investment in publicly-shared infrastructure may also increase individual homeowner costs for services such as water access via private wells, or wastewater disposal via private septic systems. As Rio Rancho has a higher-than-average portion of unpaved roads, the cost of right-of-way construction further burdens multifamily developers. Therefore, the City should identify opportunities to encourage consolidation of parcel, which may include using redevelopment authority pursuant to state statute.

Development Costs

Multiple developers noted that land acquisition costs are reasonable – averaging around $10 per square foot for land that is zoned for single-family use and $10-$30 per square foot for land that is zoned for multifamily use.

While developers reported that there are no unusual soil or environmental constraints that adversely affect the feasibility of residential development, developers uniformly reported that site work – i.e. the work that must be done to prepare a site for building - is a significant driver of total development costs. Specifically, costs associated with installation of on-site and off-site infrastructure can be quite high. This problem appears to be especially acute in Rio Rancho where sprawling development patterns mean that many subdivisions and infill lots are located significant distances away from city infrastructure. , City staff informs that the City charges impact fees of approximately $10,717.50 per single-family home. According to the City of Rio Rancho Impact Fee Schedule, the City has 7 types of impact fees: roadways, bikeways and trails, parks, public safety, water, sewer, and drainage. The latter is only when necessary. For a 50-unit multifamily development impact fees can total $208,000 or $4,174 per unit.

Additionally, supply chain issues, the price of lumber, and a "tremendous" shortage of labor are also contributing to rising development costs. The time it takes to construct a single-family home has also risen sharply. One developer stated that it used to take approximately four months to construct a single-family home, while it now takes closer to 9 months.

The impact of these rising costs is seen in the sales prices of newly constructed homes. Whereas a single-family developer could previously sell subdivision homes under $200,000 per home and make a

reasonable profit, now many developers price entry-level single-family homes starting at $350,000 and receive multiple bids.

Housing Needs Assessment

Definitions

Housing is Affordable – when a households' housing expenses (rent/mortgage and utility costs) are **no more than 30% of their monthly income.**

Cost burdened households – have monthly housing costs (rent/mortgage and utility costs) exceeding 30% of monthly income.

Family – includes related individuals living in the same household.

Household – includes all people living in a housing unit. Members of a household can be related (see family) or unrelated.

Severely cost-burdened households – have monthly housing costs (rent/mortgage and utility costs) exceeding 50% of monthly income.

Housing Affordability Analysis

Summary of Data Impacting Housing Affordability

Rio Rancho is a vibrant and growing community. Over the past 10 years, the city's population has grown 19 percent from 87,521 residents in 2010 to 104,046 residents in 2020. Many residents work in high-paying industries, including health care, finance and insurance, and other professional services. Rio Rancho residents bring home paychecks that are much higher than the statewide average - the city's median household income is $76,096 compared to the statewide median household income of $53,992.

Rio Rancho's rapid growth in population has not come without consequences. While Rio Rancho was once known as a community where a young family could purchase a "starter home" or a retiree could purchase a modest home in a warm climate, the city's housing market no longer offers ample affordable housing options. Over the past five years, homes sales prices have risen dramatically from a median sales price of $192,000 in 2018 to $330,000 in early 2023. Average asking rents have also risen at a steady pace from $992 in 2018 to $1,404 in early 2023.

Due to the rapid increase in home sales prices and rents, city residents have begun to voice concerns about housing affordability. In a citywide survey conducted in 2022, 74% of respondents agreed or strongly agreed with the statement that "finding housing that is affordable is a problem in the City of Rio Rancho." Survey respondents recognized that the city's economy benefits when housing is affordable for both low-income and higher-income earners. Respondents indicated that schools benefit when students have stable housing and families benefit when they can spend more of their income on education, health care, and childcare. Respondents also agreed that the local tax base improves when corporations choose to relocate or expand in Rio Rancho because they know that their employees will be able to find housing that is affordable.

Earlier in this Plan, household income trends, rental trends, and home sales trends were discussed in separate sections. Now, in the following sections, the relationship between incomes and housing costs will be explored in order to identify the extent to which rising housing costs are impacting Rio Rancho residents' ability to pay for other expenses, such as health care, childcare and groceries.

A homeowner's housing expenses are typically defined as mortgage payments (principal and interest), property taxes, and property insurance. A renter's housing expenses are typically defined as rent and utilities. When a homeowner or renter spends more than 30% of their monthly income on housing expenses, they are considered "housing cost-burdened." While both high-income households and lower-income households can become housing-cost burdened, lower-income households are impacted more severely because their total income is lower. For example, an individual with an annual income of $100,000 that is spending 40% of their income on housing costs ($40,000), still has $60,000 in remaining income that can be used to pay for other expenses. However, an individual earning a $30,000 annual income who spends 40% of their income on housing costs ($12,000), only has $18,000 in remaining income that can be used to pay for other expenses.

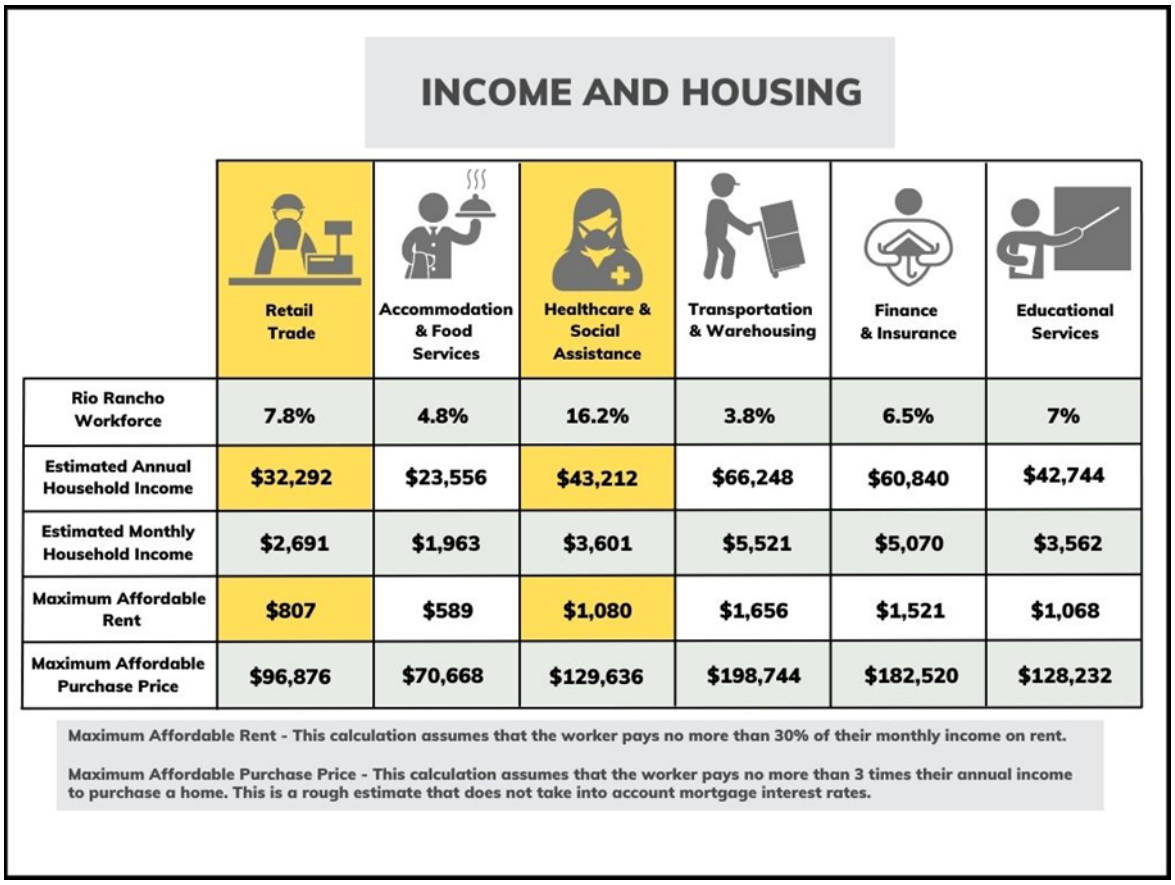


Figure 20, below, provides real-world examples of how much Rio Rancho residents can afford to pay for housing. If their housing payment exceeds the "maximum affordable rent" or if they purchase a home that is priced higher than the "maximum affordable purchase price," they will be housing cost-burdened.

Figure 20: Analysis of Local Incomes and Affordable Housing Costs

Housing Cost Burden - Renters

In Rio Rancho, the total share of renter households that are cost-burdened or severely cost-burdened increased from 47.6% in 2015 to 49.8% in 2020. The share of renter households in Rio Rancho that were cost-burdened or severely cost-burdened in 2020 (49.8%) was higher than the share in the Albuquerque, NM Metro Area, (46.8%), and higher than the share in the United States (45.7%).

In Rio Rancho, renter households with an annual income less than $20,000 had the highest incidence of cost burden in 2020 (96%), which is not surprising because the income of these households approximates the poverty threshold. However, over three-fourths (76%) of renter households earning a higher income between $35,000-$50,000 were also cost-burdened in 2020. Ten years ago, only one-third (33%) of this cohort of renter households reported being cost-burdened. ***Figure 21***, below, displays cost-burden trends for renter households with annual incomes ranging from $0 to more than $75,000.

Housing Cost Burden - Renters				
	# of Housing Units	% of Housing Units	# of Housing Units	% of Housing Units
	2010		2020	
Total Housing Units	29,726		35,476	
Renter-occupied housing units:	**5,952**		**7,323**	
Less than $20,000:	1,366		1,044	
Less than 20 percent	26	1.90%	0	0.00%
20 to 29 percent	7	0.51%	43	4.12%
30 percent or more	1,333	97.58%	1,001	95.88%
$20,000 to $34,999:	1,110		1,319	
Less than 20 percent	32	2.88%	34	2.58%
20 to 29 percent	160	14.41%	62	4.70%
30 percent or more	918	82.70%	1,223	92.72%
$35,000 to $49,999:	994		1,330	
Less than 20 percent	51	5.13%	0	0.00%
20 to 29 percent	611	61.47%	319	23.98%
30 percent or more	332	33.40%	1,011	76.02%
$50,000 to $74,999:	1,173		1,649	
Less than 20 percent	334	28.47%	370	22.44%
20 to 29 percent	539	45.95%	935	56.70%
30 percent or more	300	25.58%	344	20.86%
$75,000 or more:	1,035		1,580	
Less than 20 percent	939	90.72%	1,259	79.68%
20 to 29 percent	96	9.28%	257	16.27%
30 percent or more	0	0.00%	64	4.05%
Zero or negative income	52		75	
No cash rent	222		326	

Figure 21: Trends in Housing Cost .

Within the city limits of Rio Rancho, there are only three multifamily housing complexes that offer subsidies to make rent affordable for lower-income households pursuant to their participation in the Low Income Housing Tax Credit Program. Combined, these three multifamily complexes offer 546 affordable rental units. If a lower-income individual or family cannot secure one of these apartments, they will likely end up paying more than 30% of their annual income on the rent for a market-rate (unsubsidized) apartment. The table below lists an additional 587 affordable rental units under construction or in permitting.

Project Name:	Project Address:	Project City:	Project State:	Total No. of Units:	Total Low-Income Units:
Enchanted Vista Apts.	4501 Sprint Bvld. NE	Rio Rancho	NM	174	174
Arrowhead Ridge Apts.	4515 Arrowhead Ridge Dr. NE	Rio Rancho	NM	179	179
Buena Vista Active Adult Community	1355 Meadowlark Ln. SE	Rio Rancho	NM	258	193
550 Paseo Apts.	7810 Paseo 550 Drive NE	Rio Rancho	NM	240	240
Sandoval Flats*	3200 Camino Encantadas NE	Rio Rancho	NM	216	216
Felician Villa Apts.*	4209 Meadowlark Ln. SE	Rio Rancho	NM	66	65
Felician Villa II Apts.**	4210 Meadowlark Ln. SE	Rio Rancho	NM	66	66
* Project awarded Housing Tax Credits in 2022; ** Project awarded Housing Tax Credits in 2023					

Figure 22: Housing Tax Credit Units in Rio Rancho

Housing Cost Burden – Owners

Unlike the cost-burdened status of Rio Rancho renters, the share of owner-occupied households (with a mortgage) who are moderately or severely cost-burdened decreased from 34.7% in 2015 to 27.9% in 2020. Households without a mortgage saw no notable change in cost-burden (8.6% of homeowners to 8.5% in the same years). The share of owner households in Rio Rancho that were moderately or severely cost-burdened in 2020 (27.9%) was lower than the share in the Albuquerque, NM Metro Area, (29.1%) and around the same as the share in the United States (27.4%). These figures present a stark contrast to the increasing cost burdens experienced by renter households.

Housing Cost Burden - Owners				
	# of Housing Units	% of Housing Units	# of Housing Units	% of Housing Units
	2010		2020	
Total Housing Units	29,726		35,476	
Owner-occupied housing units:	**23,774**		**28,153**	
Less than $20,000:	1,637		1,885	
Less than 20 percent	144	8.80%	157	8.33%
20 to 29 percent	239	14.60%	163	8.65%
30 percent or more	1,254	76.60%	1,565	83.02%
$20,000 to $34,999:	2,868		2,355	
Less than 20 percent	515	17.96%	603	25.61%
20 to 29 percent	235	8.19%	292	12.40%
30 percent or more	2,118	73.85%	1,460	62.00%
$35,000 to $49,999:	3,973		3,699	
Less than 20 percent	953	23.99%	989	26.74%
20 to 29 percent	1,120	28.19%	902	24.38%
30 percent or more	1,900	47.82%	1,808	48.88%
$50,000 to $74,999:	5,480		6,189	
Less than 20 percent	1,952	35.62%	2,435	39.34%
20 to 29 percent	2,065	37.68%	2,503	40.44%
30 percent or more	1,463	26.70%	1,251	20.21%
$75,000 or more:	9,686		13,892	
Less than 20 percent	6,145	63.44%	10,954	78.85%
20 to 29 percent	2,847	29.39%	2,565	18.46%
30 percent or more	694	7.16%	373	2.68%
Zero or negative income	130		133	

Figure 23: Trends in Housing Cost Burden for Owners

Unsurprisingly, nearly all homeowners earning the lowest annual income - those earning below $20,000 - were housing cost-burned. However, nearly 50% of homeowners with a mortgage earning between $35,000-$49,999 annually, reported being housing-cost burdened.

Special Needs Analysis

Disabled Persons

The U.S. Census Bureau estimates that 13,680 disabled persons live in the Rio Rancho, which constitutes 14% percent the City's total population. The majority of disabled persons are aged of 65 and older; 27.1% of persons between the age of 65-74 are disabled (2693 persons) and 52.3% of persons 75 years and older are disabled (2,856 persons).

The most prevalent disability is ambulatory difficulty, which is defined as "serious difficulty walking or climbing stairs." Approximately 8% of the City's total population experiences ambulatory difficulty, and approximately 22% of the population 65 years and older experiences ambulatory difficulty (3,413 persons). The second most prevalent disability is independent living difficulty, which is defined as "difficulty doing errands alone such as visiting a doctor's office or shopping due to a physical, mental, or emotional condition." Approximately 7% of the City's total population experiences independent living difficulty, and approximately 15% of the population 65 years and older experiences independent difficulty (2,365 persons).

The U.S. Census Bureau also collects data on employment, income, and poverty levels of disabled persons. In Rio Rancho, much like in the rest of the United States, higher percentages of disabled persons experience poverty and are not in the labor force (i.e. not actively working or searching for work) compared to their non-disabled peers. These factors create a heightened need for accessible housing units that are affordable for low-income disabled persons. Specifically, U.S. Census data reveals that approximately 71% of disabled Rio Rancho residents are not in the labor force, compared to 30% of non-disabled residents. Likewise, the median annual earnings of a disabled Rio Rancho resident is $30,387 while the median annual earnings of a non-disabled Rio Rancho resident is $36,417. Higher percentages of disabled residents are living in poverty – 11.5% of disabled Rio Rancho residents over the age of 16 are living in poverty, compared to 7% of non-disabled Rio Rancho residents.

Homeless Persons

Background

Currently, there are no homeless shelters in Rio Rancho or in Sandoval County. Nor is the City a recipient of Emergency Solutions Grant (ESG) funding from the federal government, which provides funding for homelessness-related services, including street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and data collection. The City does not belong to either of the State of New Mexico's two Continuum of Care Programs (CoC). According to the New Mexico Coalition to End Homelessness, CoCs "foster communitywide collaboration and effective communication throughout the state by coordinating federal funding, fostering state-wide connections and aligning quality data with the goal of providing housing and supportive services for individuals and families facing homelessness."

Emergency Solutions Grant (ESG) Background

The U.S. Dept. of Housing and Urban Development ESG program provides funding to: (1) engage homeless individuals and families living on the street; (2) improve the number and quality of emergency shelters for homeless individuals and families; (3) help operate these shelters; (4) provide essential services to shelter residents, (5) rapidly rehouse homeless individuals and families, and (6) prevent families/individuals from becoming homeless. Eligible recipients generally consist of states, metropolitan cities, urban counties, and territories, as defined in 24 CFR 576.2. U.S. Department of Housing and Urban Development sets aside for allocation to the territories up to 0.2%, but not less than 0.1%, of the total fiscal year appropriation. The

remainder is allocated to States, metropolitan cities, and urban counties. The percentage allocated to each State, metropolitan city, and urban county equals the percentage of the total amount available under section 106 of the Housing and Community Development Act of 1974 for the prior fiscal year that was allocated to the State, metropolitan city or urban county. If an allocation to a metropolitan city or urban county would be less than 0.05% of the total fiscal year appropriation for ESG, the amount is added to the allocation of the State in which the city or county is located. HUD notifies each State, metropolitan city, urban county, and territory that is eligible to receive an allocation under this section of the amount of its allocation. In New Mexico, the New Mexico Mortgage Finance Authority (MFA) receives ESG funds for Statewide use. MFA then distributes funds to service providers in the State.

Continuum of Care Programs

The Continuum of Care (CoC) Program is designed to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effect utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.

On March 28, 2023, HUD announced $2.76 billion in FY 2022 Continuum of Care (CoC) Competition Awards in approximately 7,000 local homeless housing and service programs across the U.S. and its territories. These CoC grants provide funding for efforts by nonprofit providers, states, and local governments to quickly rehouse individuals and families experiencing homelessness and provide support while minimizing the trauma and dislocation caused by homelessness. The New Mexico Coalition to End Homeless Reports the Albuquerque (NM-500) CoC was awarded a total of **$6,054,608** and New Mexico Balance of State CoC (NM-501) was awarded a total of **$8,479,033** in funding. Recipients of these funds can be found here https://www.nmceh.org/cocfederalfunding.

A second Continuum of Care program is managed by the New Mexico Mortgage Finance Authority (MFA). The CoC Performance program supports nonprofit agencies that provide homeless prevention and assistance services. The program is funded through NM State Homeless Funds. MFA partners with the New Mexico Coalition to End Homelessness to provide funding through this program to agencies across the state.

Data

While the City does not specifically receive funding for homeless services through the ESG grant, the City of Rio Rancho regularly uses federal Community Development Block Grant (CDBG) funding to support several local agencies that service persons who are homeless or at risk of homelessness, including those who are fleeing domestic violence. The City currently provides funding to: (1) Sandoval County Permanent Supportive Housing Program to fund staff who provide outreach assessment, community service linkages, home visits, housing assessments, intakes, leasing coordination, move-in inspections and client advocacy for chronically homeless persons with chronic disabling conditions; (2) St. Felix Food Pantry Homelessness Prevention Project, which provides short-term utility, rent, and mortgage assistance to extremely low-income and low-income families to enable families to stay in their home with necessary resources in order to avoid shutoff, eviction, or foreclosure, and (3) Haven House, which provides emergency shelter and assistance to victims of domestic violence and their families.

Housing Need

Because the City of Rio Rancho is not a member of a Continuum of Care, it does not participate in the annual Point-in-Time Count, which is a count of sheltered and unsheltered people experiencing homelessness in a city on a single night. However, data collected by local service agencies indicates that Rio Rancho has a need for housing units that are affordable for persons with extremely low incomes – such as persons who are homeless or at risk of homelessness. For example, in recent CDBG planning and performance reports, the City has reported that the Sandoval County Permanent Supportive Housing Program provided housing and supportive services to approximately 60 chronically homeless persons residing in Rio Rancho. Additionally, Haven House reporting providing temporary housing to approximately 300 persons fleeing domestic violence and St. Felix Pantry reported providing short-term utility, rent, and mortgage assistance to approximately 300 individuals.

Gap Between Market Rate Housing Costs and Incomes

Definitions

Median and Average Income - The U.S. Census Bureau collects and publishes data related to median and average income for families and households. This data is published for various geographies including census tracts, census block groups, cities, and zip code tabulation areas. Median/Average Household Income is often less than Median/Average Family Income because households can be as small as one person living alone, whereas the minimum family size is at least two related persons living together. Additionally, families tend to have more people who are earning an income, as compared to households, which may have only one person (who may be elderly and on a fixed-income).

Income limits – also known as Area Median Income – set forth the maximum income a household can earn and still be eligible for specific affordable housing programs. These income limits are adjusted upwards and downwards depending on a household's size; larger households may earn higher incomes and still be eligible for various affordable housing programs.

The Department of Housing & Urban Development (HUD) uses income data collected by the U.S. Census Bureau to estimate Median Family Income (MFI) for states, non-metropolitan counties and metropolitan statistical areas (a combination of counties). HUD then uses the MFI to calculate income limits for its programs, such as the Community Development Block Grant Program. The adjusted income limits are commonly referred to as Area Median Income (AMI).

Rent limits – set forth the maximum monthly rent that can be charged by a landlord who is participating in an affordable housing program. The rent limits are calculated based on a presumed household size of 1.5 occupants per bedroom, or one occupant for studio/efficiency units.

HUD does not set individual income and rent limits for every city in the nation; instead, HUD sets its income and rent limits based on broader geographic areas that often include multiple counties. The City of Rio Rancho is part of the Albuquerque, NM Metropolitan Statistical Area (MSA). HUD uses income data from the following counties to calculate the AMIs for the Albuquerque, NM MSA: Bernalillo County, NM; Sandoval County, NM; Torrance County, NM; and Valencia County, NM.

*The New Mexico Mortgage Finance Authority publishes the income and rents limits on its website on an annual basis. HUD calculates income limits only up to 80% of the median family income for the MSA. For purposes of this housing Plan, additional income and rent limits were calculated to include 80-120% AMIs.

Overview of Gap Analysis

In the ***Housing Affordability Analysis***, this Plan began examining the relationship between incomes and housing costs and introduced the term *housing cost-burden.* In this section, the Plan further explores actual market data to provide examples of the gap between rents and mortgage payments that are considered affordable (i.e. household is not spending more than 30% of their annual income on housing costs) and actual market-rate housing costs.

Figures 24 and 25 display the income limits calculated by the New Mexico Mortgage Finance Authority (NMMFA) along with their calculation of affordable rents. As discussed further below, market rents are considerably higher than the affordable rents calculated by NMMFA.

	New Mexico Mortgage Finance Authority							
	2022 Housing Tax Credit Income and Rent Limits							
	AMFI %	Number of Household Members						
		1	2	3	4	5	6	7	8
Income Limits	20%	$10,580	$12,080	$13,600	$15,100	$16,320	$17,520	$18,740	$19,940
	30%	$15,870	$18,120	$20,400	$22,650	$24,480	$26,280	$28,110	$29,910
	40%	$21,160	$24,160	$27,200	$30,200	$32,640	$35,040	$37,480	$39,880
	50%	$26,450	$30,200	$34,000	$37,750	$40,800	$43,800	$46,850	$49,850
	60%	$31,740	$36,240	$40,800	$45,300	$48,960	$52,560	$56,220	$59,820
	70%	$37,030	$42,280	$47,600	$52,850	$57,120	$61,320	$65,590	$69,790
	80%	$42,320	$48,320	$54,400	$60,400	$65,280	$70,080	$74,960	$79,760
	90%	$47,610	$54,360	$61,200	$67,950	$73,440	$78,840	$84,330	$89,730
	100%	$52,900	$60,400	$68,000	$75,500	$81,600	$87,600	$93,700	$99,700
	110%	$58,190	$66,440	$74,800	$83,050	$89,760	$96,360	$103,070	$109,670
	120%	$63,480	$72,480	$81,600	$90,600	$97,920	$105,120	$112,440	$119,640

Figure 24: New Mexico Mortgage Finance Authority Income Limits

	AMFI%	Number of Bedrooms					
		0	1	2	3	4	5
Rent Limits	20%	$264	$283	$340	$392	$438	$483
	30%	$396	$424	$510	$589	$657	$725
	40%	$529	$566	$680	$785	$876	$967
	50%	$661	$708	$850	$981	$1,095	$1,208
	60%	$793	$849	$1,020	$1,178	$1,314	$818
	70%	$925	$991	$1,190	$1,374	$1,533	$1,692
	80%	$1,058	$1,133	$1,360	$1,571	$1,752	$1,934
	90%	$1,190	$1,274	$1,530	$1,767	$1,971	$2,175
	100%	$1,322	$1,416	$1,700	$1,963	$2,190	$2,417
	110%	$1,454	$1,557	$1,870	$2,160	$2,409	$2,659
	120%	$1,587	$1,699	$2,040	$2,356	$2,628	$2,901

Figure 25: New Mexico Mortgage Finance Authority Rent Limits

Multifamily Rental Units

NW ABQ Submarket	Number of Bedrooms						
		0	1	2	3	4	5
	Asking Rent	$1,003	$1,254	$1,407	$1,681		
	Inventory	1.2%	43.2%	45.2%	10.3%		

Figure 26: Asking Rent in the Northwest Submarket

Market rate rental data from Moody's Analytics was examined in order to identify the gap between market rate apartment rental housing costs and the area median income for various household sizes. The table below displays the average asking rent for 0-3 bedroom units in the submarket. When compared against NMMFA's rents limits, it is apparent that a single person earning less than 80% of the area median income ($42,320) would not be able to afford the average rent charged for an efficiency apartment. Likewise, a single person or a 2-person household earning less than 90% of the area median income ($47,610 or $54,360) would not be able to afford the average rent charged for a one-bedroom apartment. The same trend holds true for apartments with additional bedrooms – a household would need to earn at least 80% of the area median income in order to be able to afford to pay the average rent charged in Rio Rancho.

For-Sale Housing

Recent home sales data, along with home sales trend data, both of which were discussed earlier in this Plan and displayed in ***Figure 15***, demonstrate that it has become nearly impossible for low- and moderate-income individuals to purchase a home in the City of Rio Rancho. The median closing price has increased from $192,000 in 2018, to $330,000 in September 2022.

In order to visualize how out-of-reach Rio Rancho home sales prices have become for low- and moderate-income households, we created ***Figure 27***, which is displayed on the next page. In this example, we assumed that a family attempting to purchase a home in Rio Rancho earned the median household income for the City of Rio Rancho ($66,733), which roughly equates to the 90% AMI income limit for a household of four. We also assumed that the family would attempt to purchase a modest home for $295,000, rather than a home selling for the September 2022 median closing price of $330,000.

We then used the two most common lender underwriting ratios to calculate the maximum mortgage loan for which the household would qualify. The first lender underwriting ratio that we used was the front-end/back-end ratio, which accounts for a household's ability to pay their total monthly housing costs (i.e. mortgage principal, mortgage interest, property taxes and home insurance (PITI)). The front-end ratio compares the household's monthly housing costs, *exclusive* of any other monthly consumer debt payments (such as student loan or car payments) to the household's total annual income. The back-end ratio compares the household's total consumer debt payments to the household's total annual income. The second lender underwriting ratio that we used was the loan-to-value ratio, which compares the assessed value of a property to the mortgage loan.

In this example, the lender used a front-end ratio of 28% and a back-end ratio of 36%. Since our sample household had annual income of $66,733, if the front-end ratio was 28%, they would have $18,685 available annually to pay PITI. We assumed that the household would pay annual property taxes of $2,124 and annual home insurance of $2,567, leaving $13,994 annually and $1,166 monthly available for mortgage payments. Taking into account the household's other consumer debt ($300 car payment and $200 student loan payment), we calculated that the household would have $13,332 annually and $1,111 monthly available for all consumer debt payments. Since the lender will always take into account a household's ability to pay all consumer debt, we used $1,111 to calculate the maximum mortgage amount assuming that the household qualified for a mortgage interest rate of 6.5% and a loan term of 30 years. Thus, according to this calculation, the household would qualify for a maximum mortgage loan of $175,790.

Using the much simpler loan-to-value ratio, we assumed that the lender would loan a maximum of 80% of the home's assessed value. Therefore, according to this calculation, the household would qualify for a maximum mortgage loan of $236,000. Since a lender will almost always use the lower of the two ratios, we concluded that the household would qualify for a maximum mortgage loan of $175,790.

With a maximum mortgage loan of $175,790, this household would have to bring $119,210 in cash to the table in order to purchase a home selling for $295,000, which equates to a 40% down payment. However, if the household was able to secure a much lower interest rate of 3%, they would qualify for a significantly higher mortgage loan of $263,545, which would only require an approximately 10% down payment.

This example demonstrates that, even in a low interest rate environment (3% or less), a household earning less than the City's median income would find it nearly impossible to afford to purchase a home in Rio Rancho. And, in this increasingly high interest rate environment, homeownership is also out of reach for households earning incomes slightly above the city's median household income.

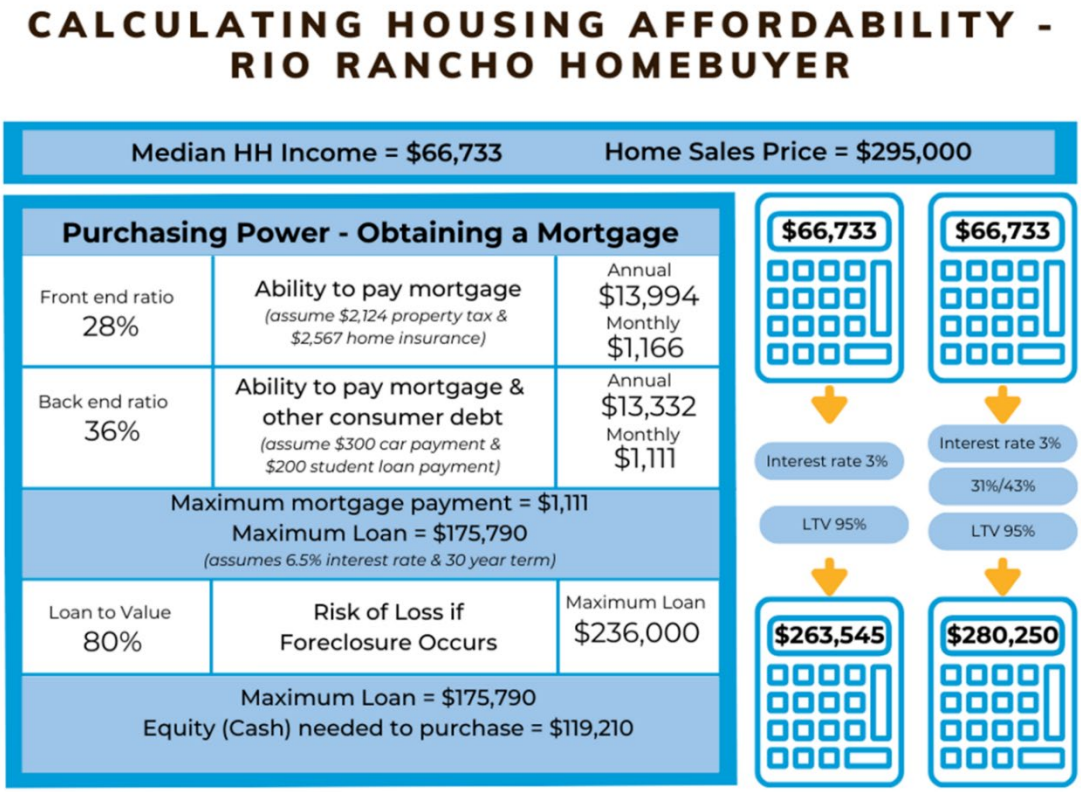


Figure 27: Homebuyer Affordability Analysis

Current and Future Housing Needs

Overview of Current and Future Housing Needs Analysis

In the ***Housing Affordability Analysis***, this Study examined the relationship between incomes and housing costs and introduced the term *housing cost-burden.* In the ***Gap Analysis***, the Plan further explored the gap between rents and mortgage payments that are considered affordable and the rents and sales prices that are currently offered in the Rio Rancho market. In this section, the Plan reviews population growth trend data, household formation data, and existing housing cost-burden data to estimate Rio Rancho's current and future need for affordable for-sale and rental housing units.

Unlike some analyses that examine current and future affordable housing needs only by income and tenure (renter/owner), this Plan analyzes affordable housing needs based on household income, tenure as well as the **household's size and the type of housing unit in which the household resides (multifamily/single family)**. This more-detailed analysis will allow Rio Rancho to develop incentives that are tailored to the needs in the community and to support projects that propose to build the types of units that are needed in the community.

Analysis of Current and Future Housing Need

Population Growth - In 2010, the population of Rio Rancho was 87,521. By 2020, the City's population had grown to 104,046, which was a 19% increase in population during the 10-year period. Per the most recent U.S. Census American Community Survey 1-Year Estimates (2021), the City has added an additional 1,793 new residents for a total population of 105,839.

The City's actual population growth from 2010-2020 is aligned with the population growth that was anticipated in the City's Comprehensive Plan, which was adopted in 2011 and amended in 2015. The Comprehensive Plan states, "Rio Rancho has been characterized as a growing community since its incorporation in 1981. A number of population projections indicate that Rio Rancho will continue to increase in population over the next several decades." While the City's population continues on an upward growth trend, over the past decade, the New Mexico Mid-Region Council of Government (MRCOG) has revised its projections regarding the rate at which Rio Rancho will continue to grow. Specifically, MRCOG previously estimated that Rio Rancho's population would grow to over 210,000 by 2035. However, in its most recently-published projections, the MRCOG projects that Rio Rancho will have a population of approximately 118,233 by 2040, which would be a rate of population growth of approximately 14% over the time period from 2020 to 2040.

Household Formation - In order to assess future housing needs, it is important to examine household formation trends alongside total population growth. Population increases that result from births, for example, do not necessarily create a need for new housing units, since newborn children will join *already existing households*. However, where population growth is driven by the migration of people into a City, these newly-arrived residents often desire to rent or own their own home rather than move in with family or friends. Therefore, these new residents form *new households*.

A "household" is defined by the U.S. Census Bureau as "all people living in a housing unit. Members of a household can be related or unrelated."

Rio Rancho has a total of 35,476 households, which is an increase of 5,550 households from a total of 29,726 in 2010. This is an increase of 19% in 10 years, which closely aligns with the City's 19% total population growth. Of these households, nearly 74% are "family households," meaning that the household includes related individuals living in the same household, and 26% are "non-family households," meaning that the householder is living alone (a one-person household) or the householder shares the home *exclusively* with people to whom he/she is not related. This ratio of family to non-family households has remained virtually unchanged over the past 10 years. The percentage of persons living alone has dipped slightly over the past decade, from 22.7% of all households in 2010 to 19.6% of all households in 2020.

Based on the fact that the population of Rio Rancho and the number of households have grown at similar rates, MRCOG's population growth estimates can be used as a basis for estimating future housing needs. Although MRCOG projected a 14% increase in population by 2040, this analysis uses a slightly more conservative projection of 10% population and household growth over the next 5 years.

Housing Unit Production – After examining total population growth and household formation, the next step in assessing future housing needs is to study how trends in household formation align with the production of housing units and the tenure of people occupying the housing units (owner vs. renter).

A "housing unit" is defined by the U.S. Census Bureau as, "a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or if vacant, is intended for occupancy) as separate living quarters."

In Rio Rancho, the number of housing units has grown from 34,156 to 40,978 from 2010 to 2021, which is an increase of 17%. The vast majority of housing units in the city are 1-unit detached homes, which are more commonly known as single-family homes. In 2010, approximately 86% of the total housing units were single-family homes; this percentages was unchanged when measured again in 2020.

Housing Units	2010		2021		Change from 2010 to 2021	
	#	%	#	%	#	&
Total Housing Units	34,156		40,978		6,822	20%
1-unit detached	29,955	87.70%	34,667	85%	4,712	16%
1-unit, attached	853	2.50%	820	2%	-33	0%
2 units	34	0.10%	41	0%	7	30%
3 or 4 units	1,332	3.90%	1,229	3%	-103	0%
5 to 9 units	342	1.00%	615	2%	273	80%
10 to 19 units	307	0.90%	942	2%	635	206%
20 or more units	546	1.60%	1,352	3%	806	147%

Figure 28: Trends in Housing Type

However, over this same period of time, there have been noticeable increases and decreases in certain other types of housing units. Specifically, as shown in ***Figure 28***, the City experienced a loss of 116 housing units located in triplexes and quadplexes as well as a loss of 63 units in mid-sized apartment complexes (10-19 units). Noticeably, the number of mobile or manufactured homes has increased by 448 units, which is an 89% increase in units over the past 10 years.

According to stakeholder feedback, there are very few abandoned homes in Rio Rancho. While census data indicated that there are 1,935 vacant homes in the city, it is likely that these homes are seasonal or "second-home" properties that happened to be vacant during the survey period. Likewise, local realtors stated that there are very few properties that are subject to foreclosure or a short sale – which is another indication that there is strong demand for housing in Rio Rancho. The City reported 63 registered foreclosed homes on 6/16/23.

The fact that the growth in housing units has not kept pace with overall population growth means that current and future Rio Rancho residents are likely to continue to experience rising housing costs, since the demand for housing exceeds supply.

Housing Tenure - There are 28,153 owner-occupied housing units in Rio Rancho, 7,323 renter-occupied housing units, and 1,935 vacant housing units. Rio Rancho is primarily occupied by residents who own their homes. In 2021, 81% of Rio Rancho households owned their home. The remaining 19% of housing units were occupied by renters.

When examining the range of housing types that exist in a city along with breakdowns in owner versus renter status (i.e. housing tenure), it is important to recognize that owners and renters live in a range of housing types, including single-family homes, duplexes, and condominium units in small and large complexes. Unsurprisingly, in Rio Rancho over 97% of persons who own their housing unit live in a one-unit single-family home. But, notably, 60% of renters living in Rio Rancho *also reside in a one-unit single-family home*. Only 10% of renters live in large apartment complexes (50+ units); another 15% live in duplexes, triplexes, or quadplexes.

Housing Needs Calculation

In order to dig deeper into current and future housing needs, the following approach was taken:

- Reviewed U.S. Census American Community Survey 5-year estimates (2016-2020) to determine the number of owner- and renter occupied housing units in the City.
- Reviewed U.S. Census American Community Survey 5-year estimates (2016-2020) to determine the type of housing units that were occupied by owner and renter households and calculated the percentage of each housing unit type that was occupied by owner and renter households of varying sizes.
- Reviewed U.S. Census American Community Survey 5-year estimates (2016-2020) to determine the number of owner- and renter-occupied housing units where the owner or renter reported spending 30% or more of their income on housing costs. These owners and renters were considered “housing cost burdened.”
- Aligned the incomes reported by housing cost-burdened owners and renters with HUD’s area median incomes. The income ranges reported by the U.S. Census do not align exactly with HUD’s area median income. Therefore, owners or renters who reported less than $20,000 in annual income per the U.S. Census were categorized as 30% AMI households. Owners or renters who reported more than $20,000 and less than $35,000 in annual income per the U.S. Census were categorized as 50% AMI households. Owners or renters who reported more than $35,000 and less than $75,000 in annual income per the U.S. Census were categorized as 80% AMI households. Owners or renters who reported more than $75,000 in annual income per the U.S. Census were categorized as 100% AMI (or greater) households.
- Allocated the share of cost-burdened renter- and owner-occupied housing units across various household sizes based on the percentage of each housing unit type that was occupied by owner and renter households of varying sizes.

Using this analysis, this Plan calculates that Rio Rancho has **3,643 housing units that are currently occupied by housing cost-burdened renters** and **6,457 housing units that are currently occupied by housing cost-burdened homeowners**.

Current Needs

Future Needs

Current and Future Affordable Housing Needs – Renter-Occupied Housing Units

Current Housing Need Cost-Burdened Renters	
AMFI %	**Units**
30%	1001
50%	1223
80%	1355
100%	64
Total	3643

Figure 29: Housing Units Currently Occupied by Housing Cost-Burdened Renters

Future Housing Need Cost-Burdened Renters	
AMFI %	**Units**
30%	1101
50%	1345
80%	1491
100%	70
Total	4007

Figure 30: Housing Units Projected to be Occupied by Housing Cost-Burdened Renters

The following four tables estimate the number of housing units in Rio Rancho that are currently occupied

Current Housing Need Cost-Burdened Owners	
AMFI %	**Units**
30%	1565
50%	1460
80%	3059
100%	373
Total	6457

Figure 31: Housing Units Currently Occupied by Housing Cost-Burdened Owners

Future Housing Need Cost-Burdened Owners	
AMFI %	**Units**
30%	1722
50%	1606
80%	3365
100%	410
Total	7103

Figure 32: Housing Units Projected to be Occupied by Housing Cost-Burdened Owners

by cost-burdened renter households and that will likely be occupied by cost-burdened renters in the next

5 years. The tables are categorized by the type of housing unit where the renter resides – either multifamily (i.e. an apartment unit) or a single-family rental unit.

It is also important to note that cost-burdened renter households are particularly at risk of displacement due to rising housing prices. Since most residential leases are for a term of 1-2 years, renters are exposed to rent increases at each lease renewal. If households with higher incomes who are able to *afford* higher rents begin moving into a neighborhood and seeking housing units to rent, landlords are likely to begin *charging* higher rents. Rents may increase to the point that existing low- and moderate-income renters are forced to move because they cannot afford the higher rents that are charged for their homes.

A similar analysis was conducted to estimate the number of housing units in Rio Rancho that are likely to be occupied by cost-burdened rental households. This analysis assumes 10% population growth equally in all income levels and households sizes over the next 5 years.

Estimated Current Housing Need						
Rental Units - Multifamily						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	175	124	68	27	6	399
50%	213	151	83	33	7	487
80%	236	167	92	36	8	540
100%	11	8	4	2	0	25
Total	636	450	247	98	22	1451
	Percent Renter Occupied Units - Multifamily					
	17.45%	12.34%	6.77%	2.68%	0.60%	

Figure 33: Estimated Current Affordable Housing Need for Renters Residing in Multifamily Housing Units

Estimated Current Housing Need						
Rental Units - Single Family (detached or attached)						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	99	222	116	87	78	602
50%	121	271	142	106	96	736
80%	134	301	157	118	106	815
100%	6	14	7	6	5	38
Total	359	808	422	317	285	2191
	Percent Renter Occupied Units - Single Family					
	9.86%	22.18%	11.59%	8.70%	7.82%	

Figure 34: Estimated Current Affordable Housing Need for Renters Residing in Single Family Housing Units

Estimated Future Housing Need						
Rental Units - Multifamily						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	192	136	75	30	7	439
50%	235	166	91	36	8	536
80%	260	184	101	40	9	594
100%	12	9	5	2	0	28
Total	699	495	271	107	24	1597
	Percent Renter Occupied Units - Multifamily					
	17.45%	12.34%	6.77%	2.68%	0.60%	

Figure 35: Projected Affordable Housing Need for Renters Residing in Multifamily Housing Units

Estimated Future Housing Need						
Rental Units - Single Family (detached or attached)						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	109	244	128	96	86	662
50%	133	298	156	117	105	809
80%	147	331	173	130	117	897
100%	7	16	8	6	6	42
Total	395	889	464	349	313	2410
	Percent Renter Occupied Units - Single Family					
	9.86%	22.18%	11.59%	8.70%	7.82%	

Figure 36: Projected Affordable Housing Need for Renters Residing in Single Family Housing Units

Current and Future Affordable Housing Needs – Renter-Occupied Housing Units

An analysis was conducted to estimate the number of housing units in Rio Rancho that are currently occupied by cost-burdened owner households. Unlike renters, existing homeowners are less exposed to rising housing prices because their mortgage amount does not adjust based on neighborhood sales prices and the term of their mortgage is usually for at least a decade. Instead, when homeowners become cost-burdened, it is usually because they have experienced a drop in income – for example, due to job loss or retirement – or their housing costs have increased, which could include rising property taxes or insurance. Cost-burdened homeowners are at risk of displacement due to foreclosure and are vulnerable to below-market purchase offers from investors. Likewise, cost-burdened homeowners may struggle to afford to make minor or major repairs to their homes, or even to afford basic landscaping.

Estimated Current Housing Need						
Owner Units - Multifamily						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	15	17	9	2	1	43
50%	14	16	9	2	1	40
80%	28	33	18	3	1	84
100%	3	4	2	0	0	10
Total	60	69	39	7	3	178
	Percent Owner Occupied Units - Multifamily					
	0.93%	1.07%	0.60%	0.11%	0.04%	

Figure 37: Current Affordable Housing Need for Owners Residing in Multifamily Housing Units

Estimated Current Housing Need						
Owner Units - Single Family (detached or attached)						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	261	648	237	202	174	1522
50%	244	605	221	188	162	1420
80%	511	1,267	463	394	340	2975
100%	62	154	56	48	41	363
Total	1,078	2,674	976	832	717	6279
	Percent Owner Occupied Units - Single Family					
	16.70%	41.42%	15.12%	12.89%	11.11%	

Figure 38: Current Affordable Housing Need for Owners Residing in Single Family Housing Units

A similar analysis was conducted to estimate the number of housing units in Rio Rancho that are likely to be occupied by cost-burdened owner households. This analysis assumes 10% population growth equally in all income levels and households sizes over the next 5 years.

Estimated Future Housing Need						
Owner Units - Multifamily						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	16	18	10	2	1	47
50%	15	17	10	2	1	44
80%	31	36	20	4	1	93
100%	4	4	2	0	0	11
Total	66	76	43	8	3	195
	Percent Owner Occupied Units - Multifamily					
	0.93%	1.07%	0.60%	0.11%	0.04%	

Figure 39: Projected Affordable Housing Need for Owners Residing in Multifamily Housing Units

Estimated Current Housing Need						
Owner Units - Single Family (detached or attached)						
AMFI %	Number of Household Members					Total
	1	2	3	4	5	
30%	287	713	260	222	191	1674
50%	268	665	243	207	178	1562
80%	562	1,394	509	434	374	3272
100%	69	170	62	53	46	399
Total	1,186	2,942	1,074	916	789	6907
	Percent Owner Occupied Units - Single Family					
	16.70%	41.42%	15.12%	12.89%	11.11%	

Figure 40: Projected Affordable Housing Need for Owners Residing in Multifamily Housing Units

Home Rehabilitation and Preservation Needs

In the ***Current and Future Housing Needs Analysis*** this Plan estimated the number of homeowners who are currently housing-cost burdened and who are projected to become housing-cost burdened in the next five years. As stated earlier, cost-burdened homeowners may struggle to afford to make minor or major repairs to their homes. Therefore, it is important for the City of Rio Rancho to understand the rehabilitation needs of existing housing units. This will allow the City of Rio Rancho to develop strategies to preserve existing housing units that are occupied by low- and moderate-income owners who do not have the disposable income needed to adequately maintain and repair their homes. The City may also consider developing strategies to encourage landlords to repair and upgrade their existing rental units.

In order to gauge the home rehabilitation and affordable housing preservation needs in the City, this report used information from the City's Comprehensive plan, application data from the City's home repair programs, along with input received via the Affordable Housing Plan survey.

Single-Family Homeowner Repair Needs

Rio Rancho is a relatively "young" city as it wasn't officially incorporated until 1981, although homes were being built decades before the city was incorporated. The city experienced its first building boom in the 1990's with a second, larger building boom between 2000 and 2009. In general, homes that were built prior to 2000 are more likely to be in need of repairs, since many of the components that comprise major systems (roofing, HVAC, plumbing and electrical) tend to have a useful life of between 15-25 years. In Rio Rancho, approximately 21,865 of existing homes were built prior to 2000, which is 58.4% of the City's total housing stock.

Additionally, a unique element of Rio Rancho's history impacts the home repair needs of residents. Many of the homes that were built in Rio Rancho during the 1960's and 1970's were constructed by one builder, Rio Rancho Estates, Inc. (commonly known an "AMREP"), which was also major landowner at the time. According to the City's Comprehensive Plan, these homes were marketed primarily to retirees and young families who were looking for a "starter home." Unfortunately, local residents and construction contractors report that AMREP's quality of construction was poor, which has created repair needs that are more substantial than would be expected for the age of the homes.

While Rio Rancho is a "young" city, a large share of residents are over the age of 65. These residents are both more likely to be on a fixed income (and thus repair and maintenance costs may be more financially burdensome) and more likely to be disabled or have limited mobility (in which case, the physical act of maintaining the property and lot may pose a challenge).

Over the years, Rio Rancho has sought to address the home repair needs of low-income households by investing Community Development Block Grant (CDBG) funding in programs that provide home repair assistance to low-income Rio Rancho homeowners. On average, these programs would assist less than 20 homeowners per year. However, in 2021, the City of Rio Rancho allocated an unprecedented amount of funding – approximately $360,000 from American Rescue Plan Act – to a Home Repair Pilot Program that was managed by a local non-profit, Homewise, Inc.

The Home Repair Pilot Program allowed qualifying low-income residents to receive up to $25,000 in a deferred, forgivable, 0% loan to address heating/cooling systems, plumbing systems, roofs, doors, windows, stucco/siding, electrical systems, and other principal components. The deferred, forgivable

loans were structured to be forgiven over a five (5) year period at a rate of 20% per year as long as the homeowner/legal property title holder continues to reside at the property.

To qualify for the Home Repair Pilot Program the home must be in City of Rio Rancho, homeowner income was or at 80% of the Area Median Income for Sandoval County, and all work had to be completed by a licensed, insured and bonded contractor.

The City and Homewise, Inc. marketed the Home Repair Pilot Program between March 3 and March 31, 2022. Homewise, Inc. received 463 inquiries. Once the program opened, Homewise Inc. received over 250 applications for assistance. The number of applications demonstrates an existing level of need that is above the resources that were typically dedicated to the City's home repair program. Additionally, the map included on the next page displays the approximate locations where home repairs where actually completed via the Home Repair Pilot Program. It shows that many of the home repairs were concentrated in older neighborhoods in the southern portion of the City. Given the success of the Home Repair Pilot Program, the FY 24 City budget allocates an additional $580,000 ARPA funds for Homewise, Inc., to deploy.

Single-Family and Multi-Family Rental Repair Needs

The City of Rio Rancho does not administer either a single family or a multifamily registration and inspection program. However, community perception (as expressed in the Affordable Housing Plan survey) is that many of the City's single-family rental and multifamily rental housing units are not properly maintained or managed.

Census data points to a potential lack of ongoing investment in smaller multifamily complexes, such as triplexes, quadplexes and mid-sized apartment complexes (10-19 units). Specifically, the City has experienced a loss of 116 housing units located in triplexes and quadplexes as well as a loss of 63 units in mid-sized apartment complexes (10-19 units). The fact that these units have been lost from the market suggests that it was more economically viable to demolish the units or convert them to another use rather than repair them.

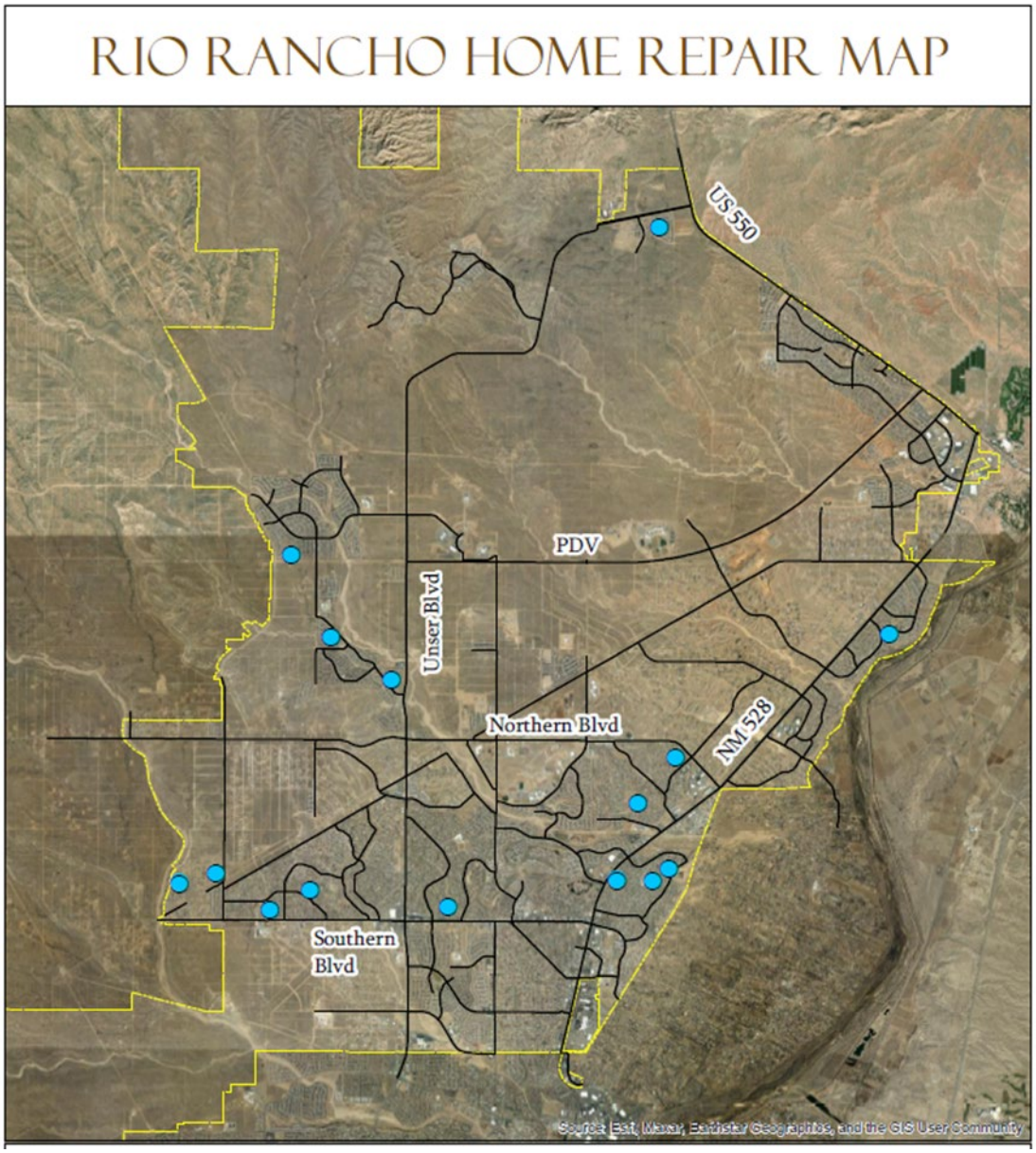


Figure 41: City of Rio Rancho and Homewise, Inc. 2022 Home Repair Program Locations

Goals, Policies and Quantifiable Objectives

Overview of Goal, Policies and Quantifiable Objectives

In the ***Housing Affordability Analysis***, this Plan examined the relationship between incomes and housing costs and introduced the term *housing cost-burden.* Next, in the ***Gap Analysis***, this Plan further explored the gap between rents and mortgage payments that are considered affordable and the rents and sales prices that are currently offered in the Rio Rancho market. In the ***Current and Future Housing Analysis***, this Plan reviewed population growth trend data, household formation data, and existing housing cost-burden data to estimate Rio Rancho's current and future need for affordable for-sale and rental housing units.

In this final section, the Plan uses the data and analysis from the ***Housing Affordability Analysis***, ***Gap Analysis***, and ***Current and Future Housing Analysis***, to identify numerous opportunities for Rio Rancho to implement strategies that address the conditions that impact the availability and affordability of housing in the city, including:

- **Preserve existing single-family housing that is occupied by current city residents** by coupling code enforcement activity with resources that help homeowners repair and maintain their homes. For example, Cities across the nation offer 0%, 5-year forgivable loans to qualifying (low to moderate income) homeowners to make necessary repairs. The loan agreement comes with covenants restricting the timeliness of sale of the home and sharing of equity proceeds from a sale of the home.
- **Preserve existing renter-occupied single-family housing** by developing a single-family rental registration and inspection ordinance. A rental registration and inspection ordinance will help the city identify the location and condition of single-family rental properties. Thereafter, the city can design an incentive program to encourage landlords to repair and maintain their properties. For example, Cities across the nation offer 0%, 5-year forgivable loans to qualifying landlords to make necessary repairs. The loan agreement comes with covenants restricting the rent charged (keeping it affordable), timeliness of sale of the home and sharing of equity proceeds from a sale of the home. A program like this may preserves existing affordable renter occupied single family housing and reduce naturally occurring affordable housing
- **Spur development of housing on vacant or underutilized parcels** by creating a land swap /land banking program that allows the city to sell city-owned land to developers who agree to build housing that is affordable to families earning a range of incomes.
- **Encourage development of "starter homes"** and other forms of affordable housing by providing public financing to support housing development.
- **Add additional housing units to existing neighborhoods** by helping homeowners navigate the process of building a backyard casita or a garage conversion.
- **Speed up housing development by removing unnecessary regulatory barriers** to developing a range of housing types and encourage more new housing development by modifying land use regulations so that more dense forms of housing can be developed throughout the city.

Additionally, this Plan proposes quantifiable objectives that that seek to meets the affordable housing needs of 20% of homeowner and renter households who are projected to be cost-burdened within the next 5 years.

Preservation Strategies

Couple Code Enforcement with Assistance to Homeowners and Landlords

Context – Owner-Occupied Homes

While it is important and necessary for the City to set and enforce property maintenance standards to protect the health and welfare of residents, it is equally important for the City to recognize that the enforcement of these standards can disproportionately impact low- and moderate-income homeowners who are unable to pay for expensive repairs to their aging homes. Engaging with residents to proactively identify their repair needs can help preserve code enforcement resources and prevent homeowners from facing escalating code enforcement.

The inability to maintain and repair an aging home can cause a cascade of problems for a homeowner. Deferred maintenance, such as an inability to fix broken windowpanes or rotten window casings, can lead to high heating and cooling costs. Similarly, leaking faucets and toilets can lead to higher water bills as well as more extensive water damage, which carries with it high repair costs. And when regular maintenance is deferred for longer periods of time, it can lead to more extensive repair issues that are noticeable from the street – such as sagging roofs, crumbling foundations, and rotten wood siding. This can put the home on the radar of code enforcement officials who may fine the owner for violations of local codes and, in extreme circumstances where the home has become uninhabitable, may order the owner to vacate the property.

Additionally, when owners of aging properties are elderly or disabled, deferred maintenance can prevent the homeowner from safely living in their home. Issues such as holes or cracks in the floor can create trip hazards that lead to falls, especially for homeowners with limited vision. Similarly, without accessibility modifications such as widened doorways, walk-in tubs, or lowered countertops and cabinets, a homeowner with a mobility-related disability may become unable to use rooms in their home, including the kitchen and bathroom. The isolation of the homeowner within their own home can impact their ability to maintain a healthy lifestyle by cooking their own meals and bathing regularly.

Context – Single-Family and Multifamily Rental Properties

Landlords who own single-family or multifamily rental properties can also fall behind on maintenance responsibilities. While some landlords may deliberately choose to ignore repair needs at their properties, other landlords may struggle to obtain loans that allow them to invest significantly in their properties. Regardless of the intention of the landlord, poorly maintained rental properties have a negative impact on the health and well-being of tenants who live in the rental units as well as the vitality of the surrounding neighborhood. Poor maintenance of both single- and multifamily rental properties also creates negative associations within the community regarding density.

There is a strong need for the City of Rio Rancho and the private sector (for-profit and non-profit) to invest in single-family and multi-family rehabilitation programs. Community members expressed a strong preference for investments in rehabilitation programs. Specifically, they expressed concerns about: (1) poorly maintained multifamily properties that become a magnet for crime and (2) aging or disabled homeowners who are both physically and financially unable to make repairs to their home or even maintain the exterior landscaping of their homes.

Continue to Devote Resources to Single-Family Home Repair Programs

The City's most recent Home Repair Pilot Program validated the need to provide home repair assistance to low-income households who struggle to pay for repairs to their aging homes. Through this pilot program, the City was able to identify and partner with a non-profit that had the expertise and staff capacity to administer the program, including evaluating the income of applicants, verifying completion of repairs made by contractors, and offering technical assistance and education to homeowners. The City should consider several options to fund a continuation and expansion of the program:

1. **CDBG Funding** - consider expanding the share of CBDG dollars that are devoted to home repair,
2. **Philanthropic Funding** - conduct outreach with major employers and non-profit organizations such as Homewise Inc. and Habitat for Humanity to identify philanthropic resources that could be devoted to home repair programs,
3. **State-Administered Funding** - Strengthen relationships with the New Mexico Housing Finance Authority and its service-providers in order to market the MFA's home repair and NM EnergySmart Weatherization Programs.

Additionally, if multiple funding sources are secured to continue and expand the City's home repair efforts, the City should consider putting together a working group of staff, home repair service providers, and neighborhood leaders who can work to market and coordinate home repair efforts.

Develop a Single-Family Rental Registration and Inspection Ordinance Coupled with Funding for Repairs

As discussed in the Housing Needs Assessment, 60% of renter households living in Rio Rancho reside in a one-unit single-family home, which equates to 4,405 single-family rental housing units. However, the City of Rio Rancho does not require landlords who own single-family rental properties to register their properties with the City and the City does not regularly inspect these properties. Therefore, the City has very little data about these rental units. For example, the City does not know how many of these units are owned by the same landlord, whether the landlord self-manages the property or uses a third-party property manager, and the physical condition of each unit.

In the Rio Rancho Affordable Housing Plan Survey, nearly 90% of respondents indicated that they strongly agreed or agreed with the statement that the "City should preserve affordable homes by providing financial assistance to encourage single-family landlords to make repairs to their rental properties to address code compliance and/or weatherization issues." However, due to the City's lack of data related to single-family rental properties, it would be difficult for the City to design and market such a program.

If the City adopted a single-family rental registration and inspection program coupled with repair incentives for landlords, the program could assist the City in achieving two goals:

1. To protect the health, safety and welfare of its citizens by identifying the location and condition of all single-family rental properties; and
2. To preserve and create affordable rental housing units by providing a suite of incentives to single-family landlords who repair their properties and agree to charge affordable rents for an agreed-upon period of time.

There is a basis in the current municipal code for a single-family rental registration and inspection program. Currently, the City requires the registration and regular maintenance of properties pursuant to the following ordinances:

- **Chapter 91, Nuisances; Health and Sanitation** – In this chapter, the City of Rio Rancho establishes minimum standards governing the maintenance, appearance, and conditions of all residential and non-residential premises. A primary purpose of the chapter is to promote the health, safety and welfare of the citizens of the city by protecting property from blighting and deteriorating conditions such as leaning fences, graffiti, peeling paint, rotting or damaged materials, inoperable or disabled vehicles, and piles of refuse. The City's Code Enforcement Division is responsible for enforcement of the chapter.
- **Chapter 99, Abandoned Residential Property Registration**– In this chapter, the City of Rio Rancho established an abandoned residential property registration program that applies to residential properties that are vacant or illegally occupied and are either pending foreclosure or were subject to a foreclosure sale and are owned by the mortgage lender/bank, i.e. Real Estate Owned (REO) properties. The ordinance requires the mortgage lender/bank to regularly inspect any properties subject to a notice of default or where ownership of the property has been transferred to the mortgage lender/bank via a foreclosure sale or deed-in-lieu of foreclosure. The mortgage lender/bank is required to register any properties that are found to be vacant.

Therefore, it is recommended that the City of Rio Rancho consider adopting a single-family rental registration and inspection ordinance. This ordinance could be implemented in two phases. Initially, the City could educate landlords and tenants about the program, market it broadly via community partners such as Realtors and lenders, and open the registration process. After successful implementation of the registration process, the City could being its inspection process.

The ordinance should require owners of single-family rental properties to register with the City and provide, at a minimum:

- Property address,
- Owner/landlord's mailing address, email address, and telephone number,
- Property manager's mailing address, email address, and telephone number (if applicable),
- Name and telephone number of a local representative who is designated as an emergency contact and can arrive at the property within 12-24 hours to respond to a public health or safety emergency at the property,
- A signed verification that the single-family rental property is compliant with Chapter 91's minimum health and safety standards. *(This could also take the form of a checklist of items that the landlord verifies are in good repair, such as windows and doors, roof, and major systems as well as exterior items such as fences and yards.)*

In addition to the signed verification of property conditions, the City could choose to implement an inspection program. Inspections could occur based only upon complaint by a tenant (or other concerned person) or could occur upon the property's registration in the program and every 5-7 years thereafter. Where a landlord's property is found to be in need of repairs, the landlord could be offered financial and non-financial incentives to repair the property and lease it for an affordable rent.

Short-Term Rentals

The City of Rio Rancho requires operators of hotels and other short-term rental properties to register as a vendor and to collect and remit to the city a 5% occupancy tax on all rents collected. Additionally, all New Mexico short-term rental properties are required to collect and pay the state's gross receipts tax.
The City of Rio Rancho does not officially license short term rentals such as those found via sites like Airbnb or VRBO and, therefore, it is difficult to determine whether the existence of possible short-term rentals within the City represents as a barrier to affordable housing. However, if the City were to create a licensing program for short-term rentals, this would allow the City to track the number and location of all rentals, the code compliance issues associated with such units, as well as collect a licensing fee for the operation of the rental.

Production Strategies

Develop Land Swap/Land Banking Programs and Encourage Charitable Donations to Qualified Housing Developments

Another way for the City to facilitate the development of new affordable housing is to acquire abandoned and blighted (often tax-delinquent) parcels of land and resell the parcels to builders who agree to construct high-quality affordable housing units on the land. This process is often known as "land banking." Land banking is most easily accomplished when state law creates a process by which municipalities or non-profit agencies can fast-track the foreclosure of tax-delinquent parcels and acquire them *before* they are offered for sale at public auction. However, the State of New Mexico does not currently enable such a process.

However, the City of Rio Rancho has several alternative options to acquire and dispose of land for affordable housing purposes:

Acquisition of Land for Affordable Housing Development

1. **New Mexico Statutes, Chapter 3, Article 43, Section 3-54-2** allows a City to "sell, at a private or public sale, exchange or donate real or personal property to the state, to any of its political subdivisions or to the federal government if such sale, exchange or gift is in the best interests of the public and is approved by the local government division of the department of finance and administration." The City should explore whether any state-owned land would be suitable for residential development and identify city-owned parcels of land that could be exchanged in order to acquire the state-owned property.
2. **New Mexico Statutes, Chapter 3, Article 60A** allows a municipality to engage in redevelopment activities – including land acquisition and disposition - in areas of the city that have been determined to be "a slum area or a blighted area or a combination thereof." A city must comply with all the planning and approval processes outlined in state law prior to engaging in redevelopment activities pursuant to the statute. The City should examine whether any areas in the City meet the state definition of slum or blight areas and explore whether it would be advisable and feasible to engage in redevelopment activities.

Sale of City-Owned Land for Affordable Housing Development – Upon approval of a City of Rio Rancho Affordable Housing Plan by the MFA and adoption of an Affordable Housing Ordinance by the Rio Rancho

City Council, the City will be able to donate city-owned land to for-profit or non-profit organizations who agree to build affordable housing units on the land.

Incentivize Donation via the New Mexico Affordable Housing Tax Credit Program - In addition to developing affordable housing programs that are administered by the City, the City should also develop a strategy for encouraging private parties to support affordable housing development in Rio Rancho via the New Mexico Affordable Housing Tax Credit program.

According to the New Mexico Mortgage Finance Authority, "the New Mexico Affordable Housing Tax Credit program encourages private investment in affordable housing by providing donors to qualified housing developments with a credit on their state taxes. State tax credits provide a direct savings on income taxes, gross receipts taxes and compensating taxes (excluding local option gross receipts tax imposed by a municipality or county or the government gross receipts tax) to any eligible individual, business, and local or tribal government that makes a donation to an affordable housing development."

Support the Development of New Affordable Housing Units and the Rehabilitation of Existing Units

Developing housing can be a complex and multi-year process that involves identifying a suitable development site, securing financing, obtaining city approvals, constructing the housing, and finding acceptable tenants or purchasers. Developing *affordable housing* involves added complexities because a project that charges below-market rents or sales prices cannot attract sufficient conventional debt and equity to finance the construction and operation of the project; therefore, affordable housing developers must secure additional financing including Low Income Housing Tax Credits, public loans or grants, and fee waivers. Developing *affordable housing in communities that lack affordable units* can be the most complex and difficult type of endeavor because affordable housing developers must compete with market-rate developers for key building sites and often must respond to strong neighborhood opposition regarding the addition of affordable housing in the community.

Therefore, in order to develop a significant amount of new affordable housing units, especially units that are affordable for extremely low-income families, it is necessary to adopt a multi-pronged approach that focuses on the factors that make it financially or politically difficult to develop, including regulatory barriers, lack of infrastructure, and community opposition.

Private Activity Bonds and Gap Financing - Providing low-cost, long-term gap financing to experienced developers and rehabbers of affordable apartment communities and single-family homes is a common strategy that cities use to incentivize the construction or substantial rehabilitation of affordable housing units. The City of Rio Rancho has access to two potential sources of revenue to support the development of affordable housing: (1) the City could issue general obligation bonds for the purpose of providing gap financing to affordable housing developers; this strategy would need to be approved during a general election; or (2) the City could apply to the New Mexico State Board of Finance (SBOF) for an allocation of Private Activity Bonds (PABs), which are a form of tax-exempt financing that may be used to support privately-owned public purpose projects such as affordable single-family mortgage programs or construction of multifamily rental housing. The federal government imposes an annual cap on the principal amount of tax-exempt PABs that may be issued within each state; therefore the allocation process is highly competitive.

Incentivize Accessory Dwelling Units/Casitas and Garage Conversions - In recent years, many cities have recognized that developable land is actually plentiful in many neighborhoods – if you take into account the backyard and side yard space that is available on large single-family lots. The City of Rio Rancho has already authorized the development of accessory dwelling units (ADUs); however less than 20 have been permitted. The City should explore public or private financing options for the construction units that will be tenant occupied and where the owner agrees to charge an affordable rent. Additionally, in such instances, the City should waive the impact fees charged for the construction of an ADU.

Garage Conversions are another tool for residents to leverage their assets as a homeowner. Converting garages into living space adds to homeowners' capacities to accommodate more people or a growing family. In recent years, the City of Rio Rancho discovered that a numerous residents residing in some of Rio Rancho's older communities had completed garage conversions without obtaining building permits. This discovery occurred when property inspections were triggered by property sales or solar panel installation. To expedite and streamline the process for these conversions, the City updated the city code in October 2018 to reflect its adoption of the Retroactive Garage Administrative Conversion Variance Process, which is a streamlined administrative process by which property-owners can apply for an administrative variance. Since 2019, the City has approved 32 such requests – 6 in 2019, 4 in 2020, 13 in 2021, and 9 in 2022. Rising numbers of approvals may simply indicate an increase of awareness of the process but it may also indicate more homeowners making such changes in order to ease cost burden while accommodating larger households.

For both ADUs and garage conversions, the City could provide education or technical assistance to help homeowners successfully complete their projects. For example, the City could release info sheets, FAQs, or even help match ADU owners with renters.

Remove Regulatory Barriers to the Development of Affordable Housing

According to recent research conducted by the National Association of Homebuilders and the National Multifamily Housing Council, regulations imposed by all levels of government account for an average of 40.6% of apartment development costs. At the local level, these regulations can include lengthy and unpredictable zoning approval processes and permit and impact fees. Therefore, since regulations account for a significant share of development costs, Rio Rancho should identify opportunities to waive or modify local regulations in order to incentivize the development of high-quality affordable housing units. This process will involve a balancing of public interests, between the need for affordable housing and financially sustainable city operations. Stakeholders who were consulted during the development of this Plan cited occasional lack of transparency regarding applicable regulations and lack of consistent application of such regulations.

Modify Land Use Regulations to Allow for the Development of More Affordable Housing Units

Nearly every real estate professional who was consulted during the development of this Plan cited zoning as the leading factor that limits construction of "missing middle" housing along with more dense apartment communities. A review of Rio Rancho zoning maps and ordinances shows that existing land zoned for R-6 multi-family residential use is limited and concentrated to particular geographies in the City. The same can be said for R-3 Mixed-residential uses. Results from the Rio Rancho Affordable Housing Survey demonstrate strong support for neighborhoods to be developed with multiple types of housing

rather than a single type of housing. The City of Rio Rancho may choose to expand (and reduce concentrations) of the amount of land designated under the R-6 and R-3 uses or combine the designations to allow for the development of multiple types of housing in new neighborhoods. Multiple types of housing translate into higher density of dwellings and more efficient use of public infrastructure.

Improve Neighborhood Conditions in Order to Spur Private Investment in Housing

Many neighborhoods in the City lack adequate infrastructure that would serve a newly-constructed home, including water and sewer lines, gas pipes, and broadband transmission technology. Private real estate developers and their financing partners will shy away from developing housing in such neighborhoods due to added development costs and the perception that the neighborhood is not adequately prioritized for city investment and services. The City should continue to explore all available opportunities to install infrastructure in neighborhoods as a means of spurring private investment.

Quantifiable Objectives

This Plan proposes the following quantifiable objectives that that seek to meet the affordable housing needs of 20% of homeowner and renter households who are projected to be cost-burdened within the next 5 years.

Housing Production

- **Produce 220 new rental housing units that are affordable for households earning 30% of AMI or lower.** This goal will allow the City of Rio Rancho to meet 20% of the projected affordable housing need for renters in this income range. **Focus on production of multifamily units with 0-1-2 bedrooms.** This will add to the very limited supply of smaller-size rental units and will provide opportunities for seniors on fixed-incomes who may need assisted services to downsize from their larger homes into a rental product.
- **Produce 269 rental housing units that are affordable for households earning 50% of AMI or lower.** This goal will allow the City of Rio Rancho to meet 20% of the projected affordable housing need for renters in this income range. **Focus on production of multifamily units with 0-1-2 bedrooms.** This will add to the very limited supply of smaller-size rental units and will offer opportunities for entry-level workers to move into Rio Rancho.
- **Produce 344 owner housing units that are affordable for households earning 30% of AMI or lower.** This goal will allow the City of Rio Rancho to meet 20% of the projected affordable housing need for owners in this income range. **Focus on production of condominium and townhouse units with 1-2 bedrooms.** This will add to the very limited supply of smaller-size owner units and will provide opportunities for seniors on fixed-incomes to downsize from their larger homes while still remaining homeowners.

Housing Preservation

- **In the next five years, provide home repair assistance to 100 single-family homeowner households earning 80% AMI or lower.** This goal will allow the City of Rio Rancho to provide assistance to 20% of the homeowners who applied for the 2021 Homewise-administered Home Repair Program.
- **In the next five years, develop and implement single-family and multifamily rental registration programs.** This will allow the City of Rio Rancho to identify the location and condition of its single-family and multifamily rental housing units. The City of Rio Rancho can use the data to develop strategies to incentivize landlords to repair their properties.

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O29

AGENDA DATE:
November 16, 2023

DEPARTMENT:
City Clerk

SUBJECT:
O29, Ordinance Amending Portions of Chapters 91 Nuisances; Health and Sanitation, Chapter 94 Parks and Open Spaces, Chapter 130 General Provisions, Chapter 131 Offenses Against Order and Safety, Chapter 132 Offenses Against Property, and Chapter 154 Planning and Zoning

BACKGROUND AND ANALYSIS:
First reading of an Ordinance.

The Ordinance proposes amendments to various areas within Municipal Code for the purpose of modernizing outdated definitions and regulations related to public places, public property, and public right-of-way to provide clear, uniform applicability across corresponding chapters.

These amendments are in-line with the City's efforts to refresh antiquated language throughout the Municipal Code. Many of the changes proposed are within chapters that, in large part, haven't been updated in over 30 years. The most dated chapter last saw revisions in 1981.

The proposed amendments provide for the following:

-uniform definitions for clarity and consistency that will aid in the application and enforcement of the law;

-an accurate reflection of the City Manager's responsibility and duty to designate the hours of operation of City facilities; and

-regulations to protect the public health and safety of the community and to ensure adequate protection of publicly funded resources.

IMPACT:
If approved, Municipal Code will have outdated definitions and regulations modernized in relation to public places, public property, and public right-of-way to provide clear, uniform applicability across corresponding chapters.

ALTERNATIVES:
Approve Ordinance.

Do not approve Ordinance.

DEPARTMENT RECOMMENDATION:

Staff recommends the approval of the amendments.

ATTACHMENT: Ordinance

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE AMENDING PORTIONS OF CHAPTERS 91 NUISANCES; HEALTH AND SANITATION, CHAPTER 94 PARKS AND OPEN SPACES, CHAPTER 130 GENERAL PROVISIONS, CHAPTER 131 OFFENSES AGAINST ORDER AND SAFETY, CHAPTER 132 OFFENSES AGAINST PROPERTY, AND CHAPTER 154 PLANNING AND ZONING

WHEREAS: the City recognizes the need for uniform definitions in its Municipal Code and the proposed terms and definitions provide for clarity and consistency and will aid in the application and enforcement of the law; and

WHEREAS: the City recognizes the need for the City Manager to designate or alter hours of operation of City facilities, City property, and other City controlled places in step with the duty to manage the day-to-day operations of the City; and

WHEREAS: the City recognizes the need for regulations to protect the public health and safety of the community and to ensure adequate protection of publicly funded resources.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. Chapters 91 Nuisances; Health and Sanitation, Chapter 94 Parks and Open Spaces, Chapter 130 General Provisions, Chapter 131 Offenses Against Order and Safety, Chapter 132 Offenses Against Property, and Chapter 154 Planning and Zoning, are hereby amended to read as follows (underline is new text and strikethrough is deleted text):

CHAPTER 91 NUISANCES, HEALTH AND SANITATION

91.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED VEHICLE. A motor vehicle which has remained for more than 48 hours in a condition described by one of the following:

(1) Without license plates or a temporary registration conspicuously displayed thereon; or

(2) With license plates which have an expiration date more than 90 days prior to the date of inspection.

AIRBORNE PARTICULATE MATTER. Material discharged into or suspended in the air

in finely-divided form, i.e., sand or dust.

AIRCRAFT. Any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air including helicopters, lighter-than-air conveyances.

AUTHORIZED PRIVATE RECEPTACLES. A litter storage and collection receptacle as required in Chapter 50 of this code.

BLIGHT or **BLIGHTED.** Unsightly conditions including the accumulation of debris; fences characterized by holes, breaks, rot, crumbling, cracking, peeling or rusting; landscaping that is dead, characterized by uncontrolled growth or lack of maintenance, or is damaged and any other similar conditions of disrepair and deterioration regardless of other properties in the area.

CITY ENGINEER. The chief administrative engineer of the city or that engineer's designee.

DEBRIS. Any substance of little or no apparent economic value, which may be present in accumulations in excess of six inches in height and ten inches in diameter, including but not limited to deteriorated lumber, old newspapers, furniture parts, stoves, sinks, cabinets, household fixtures, refrigerators, car parts, abandoned or neglected equipment, or the scattered remains of items.

DETERIORATION. The condition or appearance of a building, structure or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay, neglect or lack of maintenance.

DIGGING. Excavating or turning up the soil with a spade or other hand tool.

DUST. Very fine particles that become airborne due to wind, traffic and other human activity.

ENCLOSED STRUCTURE. A structure at least six feet in height or tall enough to eliminate the public's view, including neighbors, of the interior and meets all applicable building codes.

EXPOSED TO PUBLIC VIEW. Any premises, or any building or any part thereof, which may be lawfully viewed by the public or any member thereof, from a sidewalk, street, alleyway, open-air parking lot or from any adjoining or neighboring premises.

EXTERIOR OF THE BUILDING. Those portions of a building which are exposed to public view and the open space of any premises outside of any building erected thereon.

EXTERIOR PROPERTY AREAS. Open space on the premises, on adjoining property and all sidewalks under the control of the owners or operators of the premises.

EXTERMINATION. The control or elimination of insects, rodents or other pests by recognized programs of integrated pest management which includes sanitation, harborage control and the use of approved pesticides and other legal pest elimination methods.

FENCES, SCREEN WALLS or **RETAINING WALLS.** Self-standing structures designed to provide semi-privacy, security or bank retention between grade separations.

FIRE HAZARD. Anything or act which may increase or may cause any increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by the Fire Inspector, or which may obstruct, delay or hinder the prevention, suppression or extinguishment of fire.

FIRE INSPECTOR. Department of Public Safety personnel authorized to exercise the powers and duties required in administering and enforcing the city's fire code.

GARBAGE. Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking or consumption of food.

GRADING. Leveling the soil and the removal of vegetation.

HANDBILL. Any printed, reproduced or written matter, or any sample or device which advertises any business, commercial establishment, person, meeting, exhibition, theatrical performance or other activity, for the purpose of either directly or indirectly promoting the interest thereof; or which, while containing reading matter other than advertising matter, is predominantly and essentially for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser for distributor, however, "newspaper," as defined herein, is not to be construed to be included within the definition of **HANDBILL.**

HAZARDOUS WASTE. Any chemical compound, mixture, substance or article which is identified or listed by the United States Environmental Protection Agency or appropriate agency of the state, except that, for the purpose of this article, hazardous waste shall include household waste,

HEALTH HAZARD. The presence of any items which adversely impact or jeopardize the well being or health of an individual. Such items include human waste, medical or biological waste, sharps, gaseous or combustible materials, radioactive waste, dangerous or corrosive chemicals or liquids, flammable or explosive materials, friable asbestos, offal and decay matter.

INFESTATION. The apparent presence of unpleasant, damaging or unhealthful insects, rodents, reptiles or pests.

INOPERATIVE or **INOPERABLE VEHICLE.** Any motor vehicle which by reasons of dismantling, disrepair or other cause is incapable of being propelled under its own power.

LANDFILL. An area of land or an excavation in which solid wastes are placed for disposal and that employs an engineered method that minimizes environmental hazards and meets the requirements of the state solid waste regulations.

LITTER. Decaying or non-decaying solid and semi-solid wastes, including but not limited to both combustible and non-combustible wastes, such as paper, trash, cardboard, waste material, cans, yard clippings, wood, glass, bedding, scrap paving material, discarded

appliances, discarded furniture, dry vegetation, trees, which may harbor insect or rodent infestations or may become a fire hazard, and piles of earth mixed with any of the above foreign objects, including inoperable vehicles.

LOT. A parcel or tract of land, platted and placed on the Sandoval County Clerk's record in accordance with applicable laws and ordinances, generally as a portion of a subdivision intended for development purposes, including public right-of-way.

MOTOR VEHICLE. Any wheeled vehicle which is self-propelled or intended to be self-propelled.

NEWSPAPER. Any newspaper of general or local circulation as defined by general law; any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulation; any newspaper filed and recorded with any recording officer as provided by general law; and in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

OCCUPANT. A person, persons or legal entity that, through rights of ownership or tenancy, has possession or the use and enjoyment of the subject real property.

OWNER. A person, persons or legal entity listed as the current title holder as recorded in the official records of the Sandoval County Assessor's Office.

PREMISES. A lot, plot or parcel of land including the structures thereon.

PUBLIC NUISANCE. Creating, performing or maintaining anything affecting without lawful authority any number of citizens which is either injurious to public health, safety or welfare, or interferes with the exercise and enjoyment of public rights including the right to use public property.

PUBLIC PLACE. Any and all ~~rights of way, and any and all~~ public parks, spaces, and grounds ~~and buildings~~ owned or under the control of the City of Rio Rancho.

PUBLIC PROPERTY. Any public building, facility, structure, parking lot, or enclosure used for a public purpose or as a place of public gathering, owned or under the control of the City of Rio Rancho.

PUBLIC RIGHT-OF-WAY. Paved or unpaved streets and adjoining public real property, alleys, drainage, gutter or other public easements and lined or unlined drainage channels which comprise the municipal storm drainage system.

REFUSE. Includes, but is not limited to all putrescible and nonputrescible solid wastes (except body wastes) including ashes, waste or unwholesome material of any kind, street cleanings, dead animals, abandoned motor vehicles, vehicle parts and solid market and industrial wastes.

RESPONSIBLE PARTY. An occupant, lessor, lessee, manager, licensee or other person having control over a structure or parcel of land; and, in the case where the demolition of a structure is proposed as a means of abatement, any lienholder whose lien interest is

recorded in the official records of the Sandoval County Assessor's Office.

RUBBISH. Includes, but is not limited to all nonputrescible solid wastes such as paper, cardboard, cans, wood, yard clippings, leaves, glass, bedding, crockery and other similar materials.

SCREENED AREA, EXTERIOR. An area separated by a permanent non-flexible device to completely conceal one element of a property from other elements or from adjacent or contiguous property. Examples include, but are not limited to fencing six feet in height that is made from solid brick or chain link fencing with opaque slats.

SOLID WASTE. Includes, but is not limited to any garbage, litter, refuse, rubbish, special waste, white goods, debris and other discarded materials originating from residential, commercial or industrial sources.

SPECIAL WASTE. Includes, but is not limited to any solid waste which requires special handling or a special sign such as, but not restricted to, incinerator ash, infectious and noninfectious medical waste, petroleum products, hazardous waste, white goods and tires.

TILLAGE. Cultivating, plowing or turning over the soil.

VEGETATION. Plant life of any kind.

WATER. Water provided through the system through which the city receives its water or any extensions thereof, as well as through private wells and delivery systems.

WATER WASTE. The non-beneficial use of water that is supplied by any water supply system within the municipality.

WEEDS. Pigweed (lamaranthus retroflexus), Russian thistle (salsola pestifer), or ragweed (ambrosia spp.) commonly referred to as tumbleweeds. For the purpose of this subchapter, WEEDS shall also mean plants that, by reason of abandonment, lack of care or lack of maintenance, choke out growth of other plant material in the area, and dead, dying or unattended plant life, named or unnamed, which is abandoned or overgrown.

WHITE GOODS. Includes, but is not limited to any major appliances, such as washing machines, clothes dryers, hot water heaters, stoves and refrigerators.

91.07 LITTERING.

(A) *Litter in Ppublic Pplaces, Public Property, or Public Right-of-Way.* No person shall throw or deposit litter in or upon any street, sidewalk or other ppPublic pPlace, Public Property, or Public Right-of-Way within the city except in public receptacles, in city approved receptacles for collection or at a state approved sanitary landfill.

(B) *Placement in receptacles; prevention of scattering.* Persons placing litter in public receptacles or in authorized private receptacles shall do so in a manner as to prevent it from being carried or deposited by the elements upon any public or private place. Receptacles shall not be placed or positioned in a manner which may constitute a public nuisance or obstruction.

(C) *Throwing or distributing handbills or newspapers.*

(1) *Handbills at Ppublic Pplaces, Public Property, or Public Right-of-Way.* No person shall throw or deposit any handbill in or upon any ppPublic ppPlace, Public Property, or Public Right-of-Way within the city. However, it shall not be a violation of this subchapter for any person to hand out, without charge to the receiver thereof, any handbill to any person willing to accept it in ppPublic ppPlace, Public Property, or Public Right-of-Way.

(2) *Placing handbills on vehicles.* No person shall throw, attach or deposit any handbill in or upon any vehicle.

(3) *Distributing handbills or newspapers at private premises.*

(a) Handbills may be placed or deposited in or upon inhabited private premises by these methods:

1. Handing or transmitting handbills directly to the occupant of the property then present in and upon the premises; or

2. Placing and depositing the handbills in a way as to secure the handbills from being blown or drifting about the premises or upon ppPublic pPlace, Public Property, or Public Right-of-Way.

(b) No handbill or newspaper shall be deposited upon or to any private premises if either of the following applies:

1. The private premises are temporarily or continuously uninhabited or vacant.

2. If required by any resident thereon not to do so, a sign no larger than one square foot with letters a minimum of one inch in size, must be placed on the premises in a conspicuous position near the front entrance. The sign must contain the words “No Solicitation,” “No Distribution,” “No Trespassing” or equivalent wording to indicate that the occupants of the premises do not desire to be molested or have their right of privacy disturbed, or to have the handbills left upon the premises.

(c) The provisions shall not apply to agencies of federal, state, county or city government, and regulated public utilities with respect to communications or distribution of materials with their customers concerning official business, e.g., distribution of all articles upon which United States postage has been paid, notices of violation, utility bills, telephone directories or package delivery notices.

(D) *Dropping litter from aircraft.* No person in aircraft shall throw out, drop or deposit any litter.

(E) *Posting or affixing notices and posters.* It shall be unlawful to post or affix any notice,

poster or other paper or device calculated to attract the attention of the public to any lamp post, public utility pole, street median, Ppublic Rright-of-Wway, tree in the Ppublic Rright-of-Wway, or upon any Public ~~structure or building~~ Property except as may be authorized or required by law.

(F) *Unlawful dumping or disposal of solid waste.* It shall be unlawful to dispose of solid waste in any manner other than as specified in Chapter 50 of this code.

(1) *Unlawful to dump.* It shall be unlawful for any person to place or dump solid waste or debris in any arroyo, stream bed, drainage ditch, public fountain or any public body of water within the boundaries of the city.

(2) *Dumping on property.* It shall be unlawful for any person to place or dump solid waste or debris on any property within the city whether owned by the person or not.

(3) *Vacant lots or land.* Vacant lots or lands which have been the subject of repeated dumping shall be secured to prevent future occurrences of dumping. Methods of securing vacant lots or lands must be approved and may include permanent fencing, ditch or berm, or placement of four-foot high posts at four-foot intervals. Signs stating "no dumping" shall be erected in accordance with applicable ordinances on vacant lands which have been subject to dumping on more than one occasion.

(4) *Rebuttable presumption of violation.* Whenever any litter is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings which display the name of a person thereon in such a manner as to indicate that the article belongs or belonged to such person, it shall be a rebuttable presumption that such person has violated this subsection.

(G) *Transportation of solid waste.* No person shall drive or move any vehicle within the city that has been loaded with solid waste unless the solid waste is covered or securely loaded in a manner to prevent littering.

91.09 ADMINISTRATION AND ENFORCEMENT.

(A) Except as otherwise provided in this subchapter, the City Development Director, his designee and the code enforcement officers shall enforce this subchapter, which shall include the inspection of premises, the issuance of violations and the issuance of citations pursuant to ~~§~~Section 150.01, R.O. 2003.

(B) It shall be unlawful and a violation of this subchapter for the owner, builder, agent, lessee or occupant of any lot within the city to allow solid waste or debris to accumulate upon the property within the city, or to allow materials to accumulate and become in any way hazardous or injurious to public health or to obstruct pedestrian and vehicular traffic. Any responsible party who causes, permits, facilitates or aids or abets any violation of any provision of this subchapter shall be subject to enforcement as stated herein.

(C) Any person aggrieved by a violation or apparent violation of this subchapter may file a written complaint with the City Development Department, shall investigate the complaint and take action to have the violation penalized and removed, if the violation is found to exist.

(D)~~(1)~~ Any person violating the provisions of this subchapter may be issued a notice of violation or a citation to Municipal Court.

(1~~2~~) A notice of violation is a warning which requires a reasonable time limit for abatement, which shall not be more than 15 days after the issuance of the notice of violation, except as otherwise provided in this subchapter. The notice of violation shall be written and shall be served by personal delivery or by certified mail to the person's last known address, or by posting upon the property for ten calendar days. Upon the failure to abate a violation pursuant to the issuance of a notice of violation, a citation to Municipal Court will be issued.

(2~~E~~) A notice of violation warning for any offense governed by this subchapter shall also serve as warning notice to the violator that subsequent offenses, within a 12-month period, shall result in a Court citation in lieu of additional notices of violation.

(~~F~~E) In those instances where unauthorized or improper grading or tillage of a lot occurs, the person that caused the violation shall revegetate or restore the property to its prior state; in accordance with a plan approved by the City Development Department Director.

(~~G~~F) Upon the failure of any person to abate a violation of this subchapter, the city may require the removal or mitigation of the violation at the expense of the person who caused the violation or the person in control of a property. Any person who causes property damages to Public Places, P~~p~~ublic P~~p~~roperty, or Public Right-of-Way shall be liable for the damage. The method for collection of costs to the city may include, but shall not be limited to, a lien pursuant to NMSA §§ 3-36-1 et seq.

91.20 UNLAWFUL ACTIVITY.

It is unlawful to commit public nuisance. Public nuisance consists of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either injurious to public health, safety, morals or welfare, or interferes with the exercise and enjoyment of public rights including the right to use Public Places, P~~p~~ublic P~~p~~roperty, or Public Right-of-Way. This may include, but is not limited to, the use of any electronic or mechanical device, including unmanned aircraft such as a drone.

CHAPTER 94 PARKS AND OPEN SPACES

94.03 CAMPING.

Camping is allowed only on sites specifically designated and marked as camping areas. For purposes of this Section, the term "Camping" means to reside or dwell temporarily in a place, with shelter, outside of the permitted hours of operation. The term "shelter" includes, without limitation, any tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, vehicles, recreational vehicles, or any form of cover or protection from the elements other than clothing. The term "Camping" does not apply to grilling, picnicking, and napping during operational hours. The term "recreational vehicles" is defined in Section 154.03, R.O. 2003.

94.04 HOURS OF OPERATION.

City park sites will be open from 6:00 a.m. until 10:00 p.m. ~~Any use between 10:00 p.m. and 6:00 a.m. is restricted to temporary uses that have been granted by express permission of the Director of Parks and Recreation or his duly appointed representative.~~

~~Permission shall be granted upon application and pursuant to set by the Parks and Recreation Department.~~

94.22 PROHIBITED ACTIVITIES.

It shall be unlawful for any person to engage in any of the following activities in the Rio Rancho Bosque Preserve:

(A) Hunting, trapping, snaring, or collecting any mammal, bird, reptile or amphibian, or the eggs or young of such animals;

(B) Cutting wood or digging up, cutting or removing any trees, plants or soil;

(C) Marking or defacing in any way any tree, shrub, rock, or surface of the Bosque;

(D) Discharging any firearm, air gun, gas-operated gun, spring gun, or slingshot;

(E) Bow and arrow shooting;

(F) Starting or maintaining any fire, including in cook stoves or cooking containers, or igniting any fireworks;

(G) Discharging, shooting, throwing, or operating model aircraft or rockets;

(H) Camping, as defined in Section 94.03, R.O. 2003;

(I) Using the Rio Rancho Bosque Preserve for any commercial purpose;

(J) Possessing or consuming alcoholic beverages;

(K) Dumping or littering in any manner;

(L) Operating any motorized vehicle;

(M) Equestrian use on existing paths be permitted. This would not include pulling any animal-drawn vehicle;

(N) Non-motorized bicycles are permitted on existing (or designated) paths in the Bosque. No bicycle competition events or the construction of additional paths will be permitted;

(O) Erecting or constructing any facility or shelter, including but not limited to picnic tables, campgrounds, chemical toilets, sports fields, shacks or tree houses;

(P) Permitting any pet to be astray or run at large;

(Q) Playing any radio, television, sound-amplifying equipment, or any recording device without using a headphone or similar device to contain the sound;

(R) Smoking;

(S) Being in the Preserve between the hours of 10:00 p.m. and 5:00 a.m.

94.23 EXEMPTIONS.

The following exemptions are hereby allowed, provided that any person exempted under this section shall exercise reasonable care to honor the spirit and intent of the policy and restrictions declared in this subchapter:

(A) Collecting of materials or items ~~plants or animals~~ for scientific research may be allowed pursuant to prior written authorization by the City Manager or designee ~~Director, of Rio Rancho Department of Parks and Recreation~~.

(B) Law enforcement officers, fire department and emergency rescue unit personnel, other authorized officers, agents and employees of the federal, state and local government, and any necessary vehicles therefor, acting within the scope of their duties.

(C) Any enhancements to the preservation and enjoyment of the area authorized by the governing body, including but not limited to such things as bicycle paths and walking trails.

(D) Any activities authorized by the Director of the~~,~~ Rio Rancho Department of Public Safety or the Director of the Rio Rancho Fire and Rescue Department, necessary to carry out the requirements of this subchapter.

CHAPTER 130 General Provisions

130.02 DEFINITIONS; RULES OF CONSTRUCTION.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCUSED. Any person charged with the violation of any ordinance of the municipality that imposes a penalty. (NMSA § 31-1-2)

ANOTHER or **OTHER.** Any other human being or legal entity, whether incorporated or unincorporated, including the United States, the state or any subdivision thereof. (NMSA § 30-1-12)

ANYTHING OF VALUE. Any conceivable thing of the slightest value, tangible or intangible, moveable, corporeal or incorporeal, public or private. The term is not necessarily synonymous with the traditional legal term “property.” (NMSA § 30-1-12)

BATTERY. The unlawful, intentional touching or application of force to the person of another, when done in a rude, insolent or angry manner. (NMSA § 30-3-4)

BET. A bargain in which the parties agree that, dependent upon chance, even though accompanied by some skill, one stands to win or lose anything of value specified in the agreement. A BET does not include:

(1) Bona fide business transactions which are valid under the laws of contracts, including, without limitation:

(a) Contracts for the purchase or sale, at a future date, of securities or other

commodities; and

(b) Agreements to compensate for loss caused by the happening of chance, including, without limitation contracts for indemnity or guarantee and life and health and accident insurance.

(2) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength or endurance or to the bona fide owners of animals or vehicles entered in the contest;

(3) A lottery which is defined as an enterprise wherein, for a consideration, the participants are given an opportunity to win a prize, the award of which is determined by chance, even though accompanied by some skill. As used in this definition, "consideration" means anything of pecuniary value required to be paid to the promoter in order to participate in the enterprise; or

(4) Betting otherwise permitted by law. (NMSA § 30-19-1)

CARRYING A DEADLY WEAPON. Being armed with a deadly weapon by having it on the person, or in close proximity thereto, so that the weapon is readily accessible for use. (NMSA § 30-7-1)

CONTROLLED SUBSTANCE. A drug, substance or immediate precursor listed in NMSA §§ 30-31-6 through 30-31-10 of the Controlled Substance Act or regulations adopted thereto.

DEADLY WEAPON. Means any firearm, whether loaded or unloaded; or any weapon capable of producing death or great bodily harm including, but not restricted to, any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives, and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted.

DEFENDANT. Any person accused of a violation of any ordinance or code provision that imposes a penalty. (NMSA § 31-1-2)

DISORDERLY CONDUCT. Engaging in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise **DISORDERLY CONDUCT** which tends to disturb the peace, or maliciously disturbing, threatening or, in an insolent manner, intentionally touching any house occupied by any person. (NMSA § 30-20-1)

DRUG PARAPHERNALIA. All equipment, products and materials of any kind which are used or intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance or controlled substance analog. It includes but is not limited to:

(1) Kits used, intended for use or designed for use in planting, propagating, cultivating,

growing or harvesting any species of plant which is a controlled substance or controlled substance analog or from which a controlled substance can be derived;

(2) Kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances or controlled substance analogs;

(3) Isomerization devised, used or intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance or controlled substance analog;

(4) Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances or controlled substance analogs;

(5) Scales or balance used, intended for use or designed for use in weighing or measuring controlled substances or controlled substance analogs;

(6) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite dextrous and lactose used, intended for use or designed for use in cutting controlled substances or controlled substance analogs;

(7) Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from or in otherwise cleaning or refining marijuana;

(8) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances;

(9) Capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances or controlled substance analogs;

(10) Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances or controlled substance analogs;

(11) Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances or controlled substance analogs into the human body;

(12) Objects used, intended for use, or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:

(a) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls;

(b) Water pipes;

(c) Carburetion tubes and devices;

(d) Smoking and carburetion masks;

(e) Roach clips (meaning objects used to hold burning material, such as a marijuana cigarette that has become too small to hold in the hands);

(f) Miniature cocaine spoons and cocaine vials;

(g) Chamber pipes;

(h) Carburetor pipes;

(i) Electric pipes;

(j) Air-driven pipes;

(k) Chilams;

(l) Bongs; or

(m) Ice pipes or chillers.

(13) In determining whether an object is **DRUG PARAPHERNALIA**, a court or other authority should consider, in addition to all other logically relevant factors, the following:

(a) Statements by the owner or by anyone in control of the object concerning its use;

(b) The proximity of the object to controlled substances or controlled substance analogs;

(c) The existence of any residue of controlled substances or controlled substance analogs on the objects;

(d) Instructions, written or oral, provided with the objects concerning its use;

(e) Descriptive materials accompanying the object which explain or depicts its use;

(f) The manner in which the object is displayed for sale;

(g) The existence and scope of legal uses for the object in the community; and

(h) Expert testimony concerning its use. (NMSA § 30-31-2)

HE, HIM, SHE or **HER.** Not be construed to be mandatory distinctions of gender if not expressly stipulated.

LAWFUL CUSTODY OR CONFINEMENT. The holding of any person pursuant to lawful authority, including, without limitation, actual or constructive custody of prisoners

temporarily outside a penal institution, reformatory, jail, prison farm or ranch. (NMSA § 30-1-12)

MINOR. Any unmarried person who has not reached his or her eighteenth birthday, except that under application of the Alcohol Beverage Control Act, or any alcohol-related division of this title, **MINOR** means any person under 21 years of age.

MUNICIPALITY. The City of Rio Rancho.

OFFICIAL PROCEEDING. A proceeding heard before any legislative, judicial, administrative or other governmental agency or official authorized to hear evidence under oath, including any referee, hearing examiner, commissioner, notary or other person taking testimony or depositions in any proceeding. (NMSA § 30-1-12)

PERSON. Any human being or legal entity, whether incorporated or unincorporated.

POLICE OFFICER, LAW ENFORCEMENT OFFICER, PEACE OFFICER or **OFFICER.** Any public official or public officer vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

PROSTITUTION. Knowingly engaging in or offering to engage in a sexual act for hire. (NMSA § 30-9-2)

PUBLIC EMPLOYEE. Any person receiving remuneration for regular services rendered to the state or any of its political subdivisions. (NMSA § 30-1-12)

~~**PUBLIC GROUND.** Any real property owned or leased by a municipality.~~

PUBLIC OFFICER. Any elected or appointed officer of the state or any of its political subdivisions, serving with or without remuneration for his services. (NMSA § 30-1-12)

STREET. Any thoroughfare that can accommodate pedestrian or vehicular traffic, is open to the public and is under the control of the municipality. (NMSA § 3-1-2)

TRESPASS.

(1) Entering upon, or refusing to leave, any residential property of another, either where the property has been posted with “No Trespassing” signs, or where immediately prior to entry, or subsequent thereto, notice is given by the owner or occupant, orally or in writing, that the entry, or continued presence, is prohibited.

(2) Entering upon, or refusing to leave, any P~~p~~ublic P~~p~~roperty or Public Place, as defined in Section 91.02 R.O., 2003 in violation of regulations or outside of hours of operation as promulgated by the official charged with the security, care or maintenance of the property and approved by the ~~governing body~~ City Manager of the public agency owning property, where the regulations have been conspicuously posted or where immediately prior to entry, or subsequent thereto, the regulations or hours of operation are made known by the official charged with the security, care or maintenance of the property, ~~his agent~~ designee, or a police officer.

VOLATILE SOLVENT. The following types of chemical compounds, but not limited to:

(1) Hydrocarbons, including, but not limited to petroleum distillates and aromatic hydrocarbons;

(2) Oxygenated organic compounds, including, but not limited to ketones, esters and ethers;

(3) Halogenated hydrocarbons; and

(4) Nitrous oxides.

CHAPTER 131 OFFENSES AGAINST ORDER AND SAFETY

131.06 UNREASONABLE NOISE.

(A) It is unlawful for any person to make, continue to make or cause to be made, any loud or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

(B) Unlawful noises include but shall not be limited to the following:

(1) *Horns and signal devices.* The sounding of any horn or signaling device of any automobile, motorcycle, truck or other vehicle on any street, Ppublic Pplace, Public Property, or Public Right-of-Way except as a danger warning, the creation by means of any signaling devices of any unreasonable, loud or harsh sound, the sounding of the signaling device where traffic is held up. For purposes of this Section, the definitions for the terms Public Place, Public Property, and Public-Right-of-Way as set out in Section 91.02 R.O. 2003 shall apply.

(2) *Radios and phonographs.* The use or operation of any radio, phonograph or other sound producing machine in a manner as to disturb the peace and quiet of neighbors.

(3) *Loudspeakers; amplifiers used for advertising.* The use or operation or permitting to be played, used or operated any radio, receiver set, musical instrument, phonograph, tape recorder, loudspeaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public in any residential area, except with the proper permit.

(4) *Yelling or shouting.* Yelling, shouting or creating other loud noises which annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or residence, or of any persons in the vicinity.

(5) *Schools, courts, churches, hospitals.* The creating of any excessive noise on any street adjacent to any hospital, school, institution of learning, church or court which interferes with the workings of the institution or which disturbs or annoys patients in a hospital.

(6) *Retarders, Jake brakes, engine brakes and other like devices.*

(a) The sounding of any device or piece of equipment, including, but not limited to a retarder, Jake brake and/or engine brake, which helps slow a motor vehicle's rate of speed, except in an emergency situation where extra braking power is required to avert the danger of bodily harm to a person or damage to property when the emergency situation is not caused by the driver using the device.

(b) "Retarder, Jake brake and engine brake" mean any exhaust and/or engine device used as braking power to slow down a motor vehicle's rate of speed. When activated, a retarder, Jake brake or engine brake creates noise through the motor vehicle's exhaust system.

131.11 OBSTRUCTING MOVEMENT.

It is unlawful to:

(1) hinder, impede ~~annoy or molest~~, interfere, or obstruct pedestrian, vehicular or other traffic ~~persons~~ passing or travelling along any street, sidewalk, crosswalk or other P~~p~~ublic Right-of-W~~w~~ay;

(2) to lie, sit, or stand around the entrance of any ~~church, theater, public building~~ Public Property or Public Place ~~or other place of public assemblage~~ in any manner so as to unreasonably obstruct the entrance thereof; or

(3) to place or erect upon any P~~p~~ublic Right-of-W~~w~~ay an obstruction of any type except temporary barriers or warning signs placed for the purpose of safeguarding the public against any hazard.

For purposes of this Section, the definitions for the terms Public Property, Public Place and Public Right-of-Way as set out in Section 91.02 R.O. 2003 shall apply.

CHAPTER 132 OFFENSES AGAINST PROPERTY

132.03 SCATTERING TRASH AND RUBBISH.

It is unlawful for any person to throw or permit to be deposited or scattered upon any sidewalk, alley, street or P~~p~~ublic P~~p~~roperty, Public Place, Public Right-of-Way, or upon the private property of another, any rubbish, waste, trash or other disposed material of any kind. For purposes of this Section, the definitions for the terms Public Property, Public Place and Public Right-of-Way as set out in Section 91.02 R.O. 2003 shall apply.

132.10 WRONGFUL USE OF PUBLIC PROPERTY OR PUBLIC PLACE.

It is unlawful for any person to commit unlawful use of P~~p~~ublic P~~p~~roperty or Public Place, by:

(1) knowingly entering any P~~p~~ublic P~~p~~roperty or Public Place, without permission of the lawful custodian or ~~his representative~~ designee when the P~~p~~ublic P~~p~~roperty or Public Place is not open to the public, or

(2) remaining in or occupying any P~~p~~ublic P~~p~~roperty or Public Place after having been requested to leave by the lawful custodian, or ~~his representative~~ designee, who has determined that the P~~p~~ublic P~~p~~roperty or Public Place is being used or occupied

contrary to its intended or customary use, or

(3) damaging or destroying ~~that~~ the P~~p~~ublic P~~p~~roperty or Public Place ~~may be damaged or destroyed~~ by the use.

For purposes of this Section, the definitions for the terms Public Property and Public Place as set out in Section 91.02 R.O. 2003 shall apply.

132.11 REMOVAL OF EARTH.

It is unlawful for any unauthorized person to move, distribute or take away any earth, stone or other material from any public street, way, alley, park ~~or~~ P~~p~~ublic ~~ground~~ Property, Public Place or Public Right-of-Way. For purposes of this Section, the definitions for the terms Public Property and Public Place as set out in Section 91.02 R.O. 2003 shall apply.

132.12 WRONGFUL USE OF PUBLIC WATER CONVEYANCE SYSTEM.

It is unlawful for any person to remain in or otherwise occupy any Public Water Conveyance System after having been requested to leave by:

(1) the lawful custodian or their designee or,

(2) a law enforcement official addressing health and safety concerns.

For purposes of this Section, the definition for the term Public Water Conveyance System is an engineered or natural channel that may transport water, including an arroyo, drainage channel, irrigation channel, pond, and piping which is owned, operated or maintained by a governmental or pubic agency.

154.03 DEFINITIONS.

For the purpose of this chapter, the following definitions will apply unless the context clearly indicates or requires a different meaning:

ABUT/ABUTTING. Having a common border with an immediately adjacent parcel, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESS OR ACCESS WAY. The place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by city ordinance.

ACCESSORY BUILDING OR USE. A building or use that is appropriate, subordinate, and customarily incidental to the main use of the lot; a building detached from the primary structure and does not cumulatively exceed 75% of the size of the primary structure or 15% of the lot area, whichever is greater, and is located on the same site as the primary structure or principal use served.

ACCESSORY DWELLING UNIT. A separate, complete housekeeping unit, attached or detached, which does not exceed 900 square feet or 50% of the primary structure, whichever is greater, and is on a lot 7,000 square feet or greater in area, but not a mobile home, with a separate entrance, kitchen, sleeping area and full bathroom facilities. An additional parking space that does not block a two-car garage is required

for an accessory dwelling unit.

ACCESSORY LIVING SPACE. Living space that is accessory to the primary residence used for residential purposes which does not contain kitchen facilities located within an accessory building and on the same lot as the primary building on the lot.

ACRE. An area unit of measurement consisting of 43,560 square feet.

ACTIVITY CENTER. A collection of land uses that attracts residents and visitors for multiple purposes that may include: shopping, employment, culture, education, housing, government services, recreation, and entertainment.

AGGRIEVED PARTY.

(1) Any person whose financial or property rights or interests are adversely affected by an act of another or an order, judgment or statute.

(2) Any person whose property interest is within 300 feet of a land use decision.

AGRICULTURAL USE. The use of land where such land is devoted to the production of plants, animals or horticultural products, including but not limited to forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep, swine and horses; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; or nursery, floral, ornamental and greenhouse products. Agricultural use shall not include use of land for recreational purposes.

ALLEY. A public thoroughfare, which affords only a secondary means of access to abutting property.

AMATEUR RADIO ANTENNA. Any antenna used for the purpose of transmitting and receiving radio signals as licensed by the Federal Communications Commission.

ANIMAL FOSTER CARE PROVIDER. Any person who supplies a home to an animal on behalf of an animal rescue group while a permanent home for the animal is being found. Such providers shall follow the regulations set forth for foster homes in Chapter 116.

ANIMAL RESCUE. Any person or group who accepts companion animals for the purpose of finding a permanent adoptive home for the animals and does not maintain a central facility for keeping animals, but rather uses a system of fostering in private homes, or boarding or keeping in licensed pet animal facilities. This definition does not include wildlife rescue and rehabilitation services.

ANNEXATION. To add additional territory into Rio Rancho’s jurisdiction thereby changing the boundaries of the community.

ANTENNA. A device designed to receive or send broadcasts either as over the air signals from transmitters, including fixed television or radio signals, or microwave signals for earth orbiting communications satellites.

ARTERIAL STREET. A street having the primary purpose of carrying large volumes of

traffic and does not usually provide direct access to individual properties. Arterials are designed to provide cross-city travel.

AUTO REPAIR, MAJOR. Repairs that produce relatively high levels of noise, vibration and fumes and, more specifically, include the following types of repairs to motor vehicles and repairs of a similar nature with respect to impacts on nearby properties: auto body customizing, auto body sheet metal/fiberglass/plastic repair/replacement, auto body prepping/painting/media blasting, chassis fabrication/repair, complete engine/transmission rebuild and replacement.

AUTO REPAIR, MINOR. Repairs and servicing that will produce relatively low noise, vibration and fumes and, more specifically, include the following types of repairs to motor vehicles: air conditioning service, brake repair/replacement, engine oil changes, fluids replacement, exhaust system repair/replacement, shock absorber/spring/strut replacement, tire balancing/installation, wheel alignment, windshield/glass replacement, tune-ups, diagnostics, emission control service.

BALCONY. A small outdoor area, raised above the ground, directly accessible from within the building and open except for a balustrade on at least one side.

BASEMENT (OR CELLAR). A story of a building, which has at least one-half of its height below grade.

BAY WINDOW. A projection from the wall of a building that contains a window, is wholly above the level of the adjacent floor surface and does not result in any projection of the adjacent floor area.

BOARD. The Planning and Zoning Board of the City of Rio Rancho.

BOARDING HOUSE (BOARDING, LODGING HOUSE, OR BED AND BREAKFAST). A dwelling containing one or more, but not more than five, guest rooms where lodging is provided with or without meals for compensation.

BOARDING KENNEL. Any facility where dogs or cats are housed for the general public for a profit with the exception of state-inspected veterinarian hospitals, pet shops, animal grooming parlors and pet shelters.

BUFFER LANDSCAPING. Areas of landscaping parallel to a buffer wall.

BUFFER WALL. A stone, concrete, or masonry wall that is located on or near the property line between nonresidential zoned and residential property, is a part of a buffer zone and is intended to provide a buffer for the residential zone.

BUFFER ZONE. A strip of property located between commercially and residentially zoned property, where property lines abut, and intended to provide a buffer for the residential zone.

BUILD. To erect, convert, enlarge, reconstruct, or structurally alter a building or structure.

BUILDING. Any structure built for use of persons or animals.

BUILDING ENVELOPE. Refers to an area on a developable lot that delineates the maximum area of disturbance in which any building and associated structures may be located, exclusive of the driveway, underground utilities, irrigation, landscaping and natural material retaining walls (not to exceed four feet in height). The intent of this delineation is to preserve pre-existing grade and native vegetation outside of the building envelope.

BUILDING HEIGHT. The vertical distance measured from the finished floor elevation of the structure to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the average height between the eave and the ridge of a gable, hip, or gambrel roof. Chimneys, vents, or utility service structures shall not be included in the measurement of vertical dimensions.

BUILDING, PRINCIPAL. A building which occupies the major or central portion of a lot, is the chief or main building on a lot, or constitutes, by reason of its use, the primary purpose for which the lot is used.

BUILDING, TEMPORARY. A building or structure intended for removal or demolition within a prescribed time not exceeding two years or as set out in a building permit.

BUSINESS PARK. The BP District is intended for master-planned developments in a campus-like setting. This district is suitable for administrative and professional offices, research and development, limited distribution, light manufacturing, and assembly operations. Commercial uses are generally limited to business support services and accessory sales for goods produced on site. The BP Zoning District is consistent with the business park industrial land use category of the comprehensive plan.

CALIPER. A measurement of thickness or diameter of new landscape plantings measured six inches above ground.

CAMPING. The definition in Section 94.03, R.O. 2003 shall apply to this term.

CARETAKER LIVING QUARTERS. An accessory housing unit that is permitted in association with a commercial or industrial use where no residential dwelling exists, and the expressed purpose of the accessory housing unit is to provide housing for on-site security or operations personnel.

CARPORT. A structure not completely enclosed by walls for use to shelter automobiles.

CELLAR. A story of a building which has more than one-half its height below grade.

CENTERLINE. The line which bisects any right-of-way.

CLEAR SIGHT TRIANGLE. The area needed to be clear of sight obstructions for safe vehicular turning movements based on AASHTO's: A Policy on Geometric Design of Highways and Streets.

CLINIC. An establishment occupied by one or more members of the medical profession

for the purpose of providing medical services.

CLUB. Any membership organization catering exclusively to members and their guests and whose facilities are limited to meeting, eating, and/or recreation uses, and further whose activities are not conducted for monetary gain; including but not limited to civic, fraternal, charitable, religious, social, and patriotic organizations.

COLLECTOR STREET. A street that collects traffic from local streets and provides connections to arterial streets.

COMMERCIAL VEHICLE/EQUIPMENT. Any vehicle and/or equipment which has a gross vehicle weight rating that exceeds 10,000 pounds that is used or designed for a commercial or industrial function. This term includes any vehicle/equipment that is not a noncommercial or a recreational vehicle.

COMMUNITY RESIDENTIAL CARE FACILITY. Any congregate residence, maternity shelter, or building for persons, which provides and whose primary purpose is to provide to the residents, within the facility, either directly or through contract services, programmatic services, room, board, assistance with the activities of daily living, in accordance with the program narrative, and/or general supervision of two or more adults who have difficulty living independently or managing their own affairs.

COMMUNITY RESIDENTIAL CARE FACILITY does not include facilities for persons currently in custody of, or recently released by, correctional authorities that are designed to offer an alternative to imprisonment and/or to facilitate ex-offender reintegration into community life, nor does it include facilities for persons who require such services by reason of the effects of alcohol or drug abuse. **COMMUNITY RESIDENTIAL CARE FACILITY** does include facilities for recovering alcohol or drug abusers.

CONDITIONAL USE. A use allowed with conditions in the applicable zoning district as determined by the Planning and Zoning Board.

CONIFER. Any tree with needle leaves and a woody cone fruit.

CONSTRUCTION TRAILER. Is a movable structure, which may be a mobile home, that is:

(1) Located on a construction site and occupied by persons having construction or security responsibilities over such construction site; or

(2) Located on a construction site in order to provide storage for tools and materials.

CONVERSION. Changing the original purpose of a building to a different use with or without structural alteration requiring a building permit.

COURT. An open space that is more than half surrounded by a single building or buildings.

CURB CUT. Depressing the curb to the adjacent level.

DAY SPA. Any premises, place of business or membership club providing facilities devoted especially to health, beauty, and relaxation that deals with cosmetic, therapeutic massage, and/or holistic treatments, where people visit for professionally administered personal care treatments.

DECIDUOUS TREE. A tree that drops its foliage annually before becoming dormant.

DECK, UNENCLOSED. Structure usually made of wood, built to provide a solid continuous surface for outdoor use and/or access to a door, which is accessible from the ground level, directly or from a connecting stairway and is separated from the ground by air space.

DENSITY. The measure of families, individuals, dwelling units, household or housing structures per unit of land, i.e., number of dwelling units per acre.

DENSITY, GROSS RESIDENTIAL. The ratio between the number of dwelling units located or proposed to be located on a lot and the area of the lot where the area to be measured includes all lands within the lot used or proposed to be used for roads or any other purpose other than an industrial use, and may be determined by the number of dwelling units divided by the lot area in acres.

DEVELOPMENT. The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings, structures, or accessory structures, any use or change in use of any buildings or land, any extension of any use of land, mining, dredging, filling, grading, paving, excavation or drilling operations or the storage, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities, for which permission may be required pursuant to city ordinances.

DRIVEWAY. An all-weather, vehicular access way connecting an off-street parking space or parking lot with a public or private street.

DUPLEX. A building arranged, intended, or designed to be occupied by two families living independently of each other and having separate cooking facilities in each dwelling unit.

DWELLING, MULTIPLE-FAMILY. A building arranged or designed to be occupied by two or more families living independently of each other and having separate cooking facilities in each dwelling unit.

DWELLING, SINGLE-FAMILY. A building arranged or designed to be occupied by one family, the structure having only one dwelling unit but not including a mobile home.

DWELLING UNIT. One or more rooms within a building designed for residential occupancy by one family for living and sleeping purposes, and containing kitchen facilities, but not including a recreation vehicle or travel trailer, permanently installed on a permanent foundation which has received a permit from the city pursuant to R.O. 1987 or another permitting agency with jurisdiction, and the structure is either:

(1) Constructed to the standards adopted by the city and other technical codes, as of

the date of the unit's construction; or

(2) A single-family detached dwelling with a heated area at least 36 by 24 feet and 864 square feet, constructed in a factory to the standards of the U.S. Department of Housing and Urban Development, National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 et seq., HUD Zone Code II, as amended to the date of the unit's construction, and installed consistent with the Manufactured Housing Act (NMSA Chapter 60, Article 14), and with the regulations made pursuant thereto relating to ground level installation and ground anchors.

ENTERTAINMENT ESTABLISHMENT. An establishment which includes live performances and/or patron dancing, including but not limited to nightclubs, dance halls or discotheques.

EVERGREEN. Those trees, including broad-leaved and conifer evergreens, that maintain their leaves year-round.

FAMILY. One or more persons who are related by blood or marriage, and including any foster children, or a group of not more than five persons living together as a housekeeping unit by joint agreement on a nonprofit cost sharing basis, or a combination of persons related by blood or marriage along with unrelated adults living together and occupying a single housekeeping unit. In addition, up to 10 persons with a disability or handicap, including any staff residents, residing in a dwelling shall be considered a family.

FAMILY CHILD CARE FACILITY. A private residence in which care, services, and supervision are provided to a maximum of 12 children for a period of less than 24 hours of any given day. The licensee will reside in the home and be the primary caregiver.

FENCE. A vertical structure taller than one foot, not more than 20 inches wide, which forms a barrier built for the purpose of protection, decoration, confinement, enhancement of privacy, and in some cases, built for safety.

COMMON FENCE. A fence that straddles a property line. For the purposes of this section, it is assumed that common fences are jointly owned in their entirety by each property owner and that initial construction and any modifications that require city approval beyond typical maintenance require the written permission of each property owner.

ELECTRICAL FENCING. A fence consisting of wires charged with electricity serving to confine domestic animals or livestock.

RETAINING WALL. Any structure that is intended to retain more than 18 inches of soil or similar material.

SWIMMING POOL FENCE. A fence that is six feet in height that serves to limit access for safety purposes.

FENCING. A masonry, metal, or wood wall, or plantings such as hedges, forming a boundary to and enclosing same area.

FLOOR AREA. The area included within the surrounding walls of a building measured from outside to outside, excluding vents, shafts, and courts.

FLOOR AREA, GROSS. For the purpose of this chapter, the sum of all the floor areas of a building or buildings, measured from the exterior of the supporting walls or supporting devices, including all accessory buildings on the same lot.

FRONTAGE. The distance along a street line from one intersecting street to another or from one intersecting street to the end of a dead end street. Lot frontage is the width of a lot measured along a street.

GARAGE, COMMERCIAL. Any building or structure where automobiles, trucks, tractors, or other vehicles are stored, painted, repaired, or equipped for a charge, and where the service and sale of gasoline and oil are incidental to the principal building use.

GARAGE, PRIVATE. A detached accessory building or a portion of a dwelling unit, which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

GASOLINE SERVICE STATION. Any building or premises used principally for the storing, dispensing, sale, or offering for sale at retail of gasoline, oil, and/or other fuels.

GOLF COURSE or CLUB. Nine- or 18-hole course, which may or may not be associated with a clubhouse, but not including a miniature course or golf driving range.

GRADE. The average of the finished ground level at the center of all walls of a structure.

GREENHOUSE. A transparent enclosed building used for cultivating plants.

HANDICAP RAMP. An inclined surface for handicap movement in lieu of steps.

HOBBY BREEDER. Any person that occasionally breeds and raises animals on their property as regulated in Chapter 116.

HOME OCCUPATION. An occupation conducted within a dwelling unit as regulated in Chapter 121.

HOTEL/MOTEL. An establishment or building providing lodging, food, and the like to travelers and long-term residents.

LANDFILL. A waste disposal site where waste is deposited with cover material being applied at regular intervals.

LANDSCAPING. To improve or ornament through the arrangement and/or modification of the effects of natural scenery over a tract of land for aesthetic effect.

LOT. Any parcel of land platted and placed on record in accordance with laws and ordinances; a parcel described by metes and bounds and having frontage on a public right-of-way.

LOT WIDTH. The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard.

LUMBERYARD. A facility where building materials such as lumber, plywood, drywall, paneling, cement blocks and other cement products, and other building products are stored and sold. Lumberyards may also process lumber by performing millwork, planning, cutting, and other customizing processes. Lumberyards may provide for the sale of associated products including tools and fasteners.

MANUFACTURED/MOBILE HOME PARK. A unified development that provides space and facilities for manufactured/mobile homes.

MANUFACTURING USE. Primarily engaged in the mechanical or the chemical transformation of materials or substances into new products. Manufacturing activities include, but are not limited to, assembly, baking, brewing, fabrication, milling, processing, refining, smelting and treatment. Except as otherwise provided in this chapter, **MANUFACTURING USES** are defined and distinguished from nonmanufacturing uses in the North American Industrial Classification Manual.

MASTER PLAN. A comprehensive plan of development for a large tract of land (such as a growth node or activity center, that may include intended land use, street patterns, development timing and functional plans for open space, utilities, drainage and the interrelationship between the development and the city's comprehensive plan).

MINING. For the purposes of this chapter, means the removal of sand, gravel, earth, rock, stone or mineral-bearing substance from the ground for the purpose of obtaining any mineral therefrom.

MIXED USE. A project or single building which includes both primary nonresidential and primary residential uses or where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated for the use of shared vehicular and pedestrian access and parking areas.

MOBILE HOME. A movable or portable housing structure larger than 40 feet in body length, eight feet in width or 11 feet in overall height, designed for and occupied by no more than one family for living and sleeping purposes, that is not constructed to the standards of the United States Department of Housing and Urban Development, the National Manufactured Housing Construction and Safety Standards Act of 1974 and the Housing and Urban Development Zone Code II or Uniform Building Code, as amended to the date of the unit's construction or built to the standards of any municipal building code.

MODEL HOME. Any furnished dwelling, which is primarily used as a marketing tool to show prospective homebuyers a particular plan, type of construction, accoutrements or floor plan and which is not a residence at the same time. A sales office need not be physically located in the dwelling.

MULTI-SECTION MANUFACTURED HOME. A manufactured home or modular home that is a single-family dwelling with a heated area of at least 36 by 24 feet and at least 864 square feet and constructed in a factory to the standards of the United States Department of Housing and Urban Development, the National Manufactured Housing Construction and Safety Standards Act of 1974 and the Housing and Urban Development Zone Code 2 or the Uniform Building Code, as amended to the date of the unit's construction, and installed consistent with the Manufactured Housing Act and with the rules made pursuant thereto relating to permanent foundations.

NIGHT SKY PROTECTION ACT. The Night Sky Protection Act regulates outdoor night lighting fixtures to preserve and enhance the state's dark sky while promoting safety, conserving energy and preserving the environment for astronomy as per NMSA 1978 Chapter 74, Article 12, Night Sky Protection.

NONCOMMERCIAL VEHICLE/EQUIPMENT. A motor vehicle/equipment used in the conduct of normal daily activities which has a gross vehicle weight rating of not more than 14,000 pounds which can be lawfully parked in a nine-foot by 28-foot parking space. This term includes motor vehicles commonly called motorcycles, automobiles, vans, sport utility vehicles, light trucks or pickups.

NONCONFORMING USE. Lots, structures, and uses which were in conformity with the applicable zoning ordinance and regulations when created but which would now be prohibited or do not conform to one or more of the regulations in the zoning code or future amendments thereto.

NORTH PROPERTY LINE. Any lot line which is positioned at an angle of 45 degrees or less in relation to a line drawn due east/west. Measurement of an angle shall occur in the interior of the lot under review.

NURSING HOME. An institution, building or place, whether operated for profit or not, including a place operated by a county or municipality, which undertakes through its ownership or management to provide for a period exceeding 24 hours nursing care, personal care, or custodial care and may include a rest home, convalescent home or senior transitional living and care facilities.

OFFICE BUILDING. A building designed for or used as the offices of professional, commercial, industrial, religious, public or semipublic persons or organizations.

OPEN SPACE. Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests of land adjoining or neighboring such open space.

OUTDOOR SALES DISPLAY. An outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product, or service. This definition excludes new and used sale, lease, or rental of automobiles, trucks, motorcycles, recreational vehicles, boats, or watercraft.

OUTSIDE STORAGE. The keeping of commodities, goods, raw materials, equipment, vehicles, heavy vehicles, or merchandise not within an enclosed building, including incidental maintenance and repair of the material which is being stored. This definition excludes new and used sale, lease, or rental of automobiles, trucks, motorcycles, recreational vehicles, boats, or watercraft. Parking of company-owned automobiles that are currently registered, licensed, and operable will be excluded. Materials and equipment that are transferred from an enclosed building for an outdoor sales display are not considered outside storage.

OVERHANG. The part of a roof or wall that extends beyond the facade of a lower wall or the portion of a vehicle extending beyond the wheel stops or curb.

PARAPET. The extension of the main walls of a building above the roof level.

PARK. An open space reserved in the public domain where appropriate development may take place and which is intended primarily for passive activity.

PARKING AREA, PRIVATE. An open off-street area of land used for the parking of more than five motor vehicles used by occupants including employees of a building to which such area is appurtenant.

PARKING AREA, PUBLIC. An open area other than a street provided for public use or including customer use.

PARKING LOT. An area provided for the free use of patrons or employees of any office or state or local government or of any public accommodation, or retail or commercial establishment.

PARKING SPACE. An area on a lot sufficient in size to store one automobile (not less than nine feet wide and 18 feet long) connected to a public street or alley by a driveway not less than 10 feet wide and so arranged as to permit ingress and egress of the automobile at all times without moving any other automobile parked adjacent to the parking space. The required length of the space can be reduced to 16 feet with the incorporation of a two-foot vehicle overhang if such overhang does not reduce the required width of an adjacent pedestrian walkway and/or landscape area.

PARKING SPACE, ACCESSIBLE. A parking space with a minimum stall depth of 18 feet, a minimum stall width of nine feet and an access aisle and access route per current ADA regulations. Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance.

PARKING SPACE, VAN ACCESSIBLE. A parking space with a minimum stall depth of 18 feet, a minimum stall width of nine feet and an access aisle and access route per current ADA regulations. Van accessible parking spaces shall also contain wider access aisles and access routes to accommodate wheelchair lifts along with additional signage that clearly identifies the parking spaces as “van accessible.”

PARKING STRUCTURE. Includes a partially open and/or an enclosed area other than a street or lane used for the parking of motor vehicles. A parking structure generally includes three or more parking spaces together with aisles and has a principal access

from a driveway to a street and may constitute the main use of the lot.

PARKS, RECREATIONAL. An area developed and maintained primarily for active recreation.

PATIO COVER. An unenclosed attached roofed structure used only for recreational and outdoor living purposes.

PERMISSIVE USE. A use allowed by right in a particular zoning district.

PET SHELTER. Any establishment owned and operated by a not-for-profit organization, licensed to do business in the State of New Mexico, whose sole function is to bring aid and comfort to animals.

PET SHOP. Any commercial establishment or premises or part thereof, maintained for the purchase, sale, exchange, or hire of animals of any type; except that the term shall not include livestock auctions.

PHYSICAL BLINDING. A screening or structure that is in accordance with all existing applicable codes including but not limited to building codes, fire codes, and zoning codes.

PICKUP CAMPER. A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel and recreation use.

PLAT. A map showing the location, boundaries and ownership of individual properties, planned and developed as a single project.

PLAZA. A community gathering space, sometimes called a square, usually with seating areas, and with a variety of ground-plane finishes such as hard surfaces, lawn and landscaping. It is often designed as a focal point with an amenity located within, and it may be bounded on one or more sides by a civic or commercial use in a neighborhood, commercial and recreational centers.

PREMISES. Land together with any buildings or structures occupying it; however, each individual business shall be considered a premises.

PUBLIC FACILITIES. Facilities operated by a municipality including parks, trails, paths, and other recreational areas and open spaces, public schools and other public buildings, including fire stations and police substations, and places where the public is directly or indirectly invited to visit or permitted to congregate.

PUBLIC UTILITY. An office, pumping station, communication center, distribution, or transfer facility, or other management or operation need for electricity, communication, gas, water, transportation, sewage, but exclusive of production or disposal plants, storage yards, or supply base, unless otherwise provided for by this chapter.

RECREATIONAL VEHICLE. A vehicular unit primarily designed as a temporary living quarters for recreational, camping, or travel use; it either has its own motive power or is

designed to be mounted on or drawn by an automotive vehicle. Recreational vehicle includes motor home, boat, truck camper, travel trailer, and camping trailer.

RECYCLING COLLECTION CENTER. A temporary site/facility which is an accessory use to an existing site/facility and serves as a “drop off” location for household recyclables such as paper, glass, plastics, and aluminum, but not to include refuse.

REPLAT. A process used to move, erase, or add new interior property lines within a recorded summary or subdivision plat. It results in a new plat being recorded for the affected parcels or lots.

SALES OFFICE. An office accessory use to a dwelling unit being used as a model home or a freestanding building usually located in a residential area, used specifically for the purpose of conducting business transactions associated with the sale of residential dwelling units.

SCHOOL. A public school, a separate school, a university, a college or a private school authorized by the authority having jurisdiction.

SECOND KITCHEN. A second culinary facility which is located within a dwelling and may include a stove, oven, sink, cabinets and/or other related storage areas, refrigerator or any combination of these, in addition to the primary culinary facilities located in the kitchen of the dwelling. Outdoor kitchens which may consist of barbeques and/or ovens are not considered second kitchens so long as they are not enclosed within a building.

SELF-STORAGE FACILITY. A group of buildings or other facilities having components, rooms, spaces, containers or other types of units that are individually leased, rented, sold or otherwise contracted for by customers for the storage of personal or business goods or property.

SENIOR TRANSITIONAL LIVING AND CARE FACILITY. An age-targeted facility for “seniors” (typically 55 years and over) that can provide a continuum of care and living arrangements from independent living apartments to assisted care units, nursing care beds, memory units for memory-impaired residents, and other health conditions. Living units can be owned or leased, separate or attached, and with varying degrees of independence for residents, but all units are under a common management.

SETBACK. The shortest distance between a structure and the present or future street line or property line. Setbacks shall be measured to the foundation and provide an allowance of four inches for stucco, cladding, and exterior building finishes. Placement of the following structures is allowed in this area: structures of 120 square feet or less. The placement of paved concrete, blacktop, brick and wood decking, pads, poured slabs, driveways, walkways, and ornamental landscaping accoutrements is permitted. It is the responsibility of the property owner to secure permission, in writing, from any and all franchised utilities upon whose easements the property owner wishes to place any of the above structures. Setback exceptions for residential and nonresidential zone categories are included in each relevant section of this chapter.

SHOOTING RANGE, INDOOR. An enclosed facility used for the discharge of firearms

at targets.

SHOPPING CENTER. Two or more tenants or occupants of a structure or structures used for commercial purposes on a single parcel, or more than one parcel within a common commercial subdivision, of at least five acres that typically includes shared parking, access, and sidewalks under common management.

SIGNAGE. A structure or graphic display designed to inform or attract the attention of persons not on the premises on which the sign is located.

SITE PLAN. A scale drawing or plan showing accurately and with complete dimensioning all of the buildings, structures and uses and the exact manner of development proposed for a specific parcel of land.

SOLAR ENERGY UNIT. A solar collector or other device that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if so equipped) the sun's radiant energy.

SPECIAL EVENT. An event, the duration of which is temporary in nature.
STABLES. Building(s) in which livestock (horses, cows and pigs) and other domestic animals are sheltered and fed; especially, such a building having stalls or compartments.

STUDIO. The workspace of a painter, sculptor, or other artist, limited to the production and sale of the works of said artist and to one occupational employee.

STREET. A thoroughfare which has been dedicated to the public or which has been made public by right-of-use and which affords the principal means of access to abutting property.

STRUCTURAL ALTERATION. Any change in the supporting members of a building, such as bearing walls, or partitions, columns, beams, or girders, or any substantial change in the roof or exterior walls.

STRUCTURE. Anything constructed or erected which requires location on the ground or attached to something having a location on the ground but not including a utility pole, a tent or vehicle.

SWIMMING POOL. A deep body of usually fresh water, suitable for swimming, built into the ground, or situated above the ground, made of concrete or plastic, but exceeding 36 inches in depth.

SWIMMING POOL, PRIVATE. A swimming pool to which admission is limited by ownership or membership.

SWIMMING POOL, PUBLIC. A swimming pool to which admission may be gained by the general public with or without payment of a fee.

TEMPORARY, EMERGENCY, CONSTRUCTION, OR REPAIR RESIDENCE. Which may be a mobile home, is:

(1) Located on the same lot as a residence made uninhabitable by fire, flood or other natural disaster; or

(2) Located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed.

TOWNHOUSE, TOWNHOME, CONDOMINIUM, OR PATIO HOME. A residential dwelling unit which is connected by one or more walls to a series of similar units, usually sharing the same street frontage.

TRACT, SEPARATE. A parcel of land or a group of continuous parcels of land under one ownership on the effective date of this chapter.

TRAVEL TRAILER OR RECREATIONAL VEHICLE. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, and not permanently connected to utilities.

TRAVEL TRAILER OR RECREATIONAL VEHICLE PARK OR CAMPGROUND. A tract of land with spaces or stands provided for temporary use of travel trailers, pickup campers, tents, or recreational vehicles. The parking area for two or more vehicles of this type will be considered a trailer park or campground.

USABLE RECREATION SPACE. An area on the same lot as the multi-family residential development that serves to permanently provide indoor or outdoor open space and/or recreational uses. Usable recreation space may include, but is not limited to: lawns, decorative planting areas, and native plants, open balconies and covered patios that are open on two or more sides, walkways, active and passive recreational areas, fountains, swimming pools, water features, and ponds, clubhouse areas for video/technology rooms, exercise or fitness activities, or meeting rooms, or playgrounds. Usable recreation space does not include public right-of-way, parking lots, driveways, or buildings, garages, carport or equipment areas that are not designed for common use.

WIND ENERGY UNIT. A machine by which mechanical energy supplied by the wind is converted to electrical energy, including any energy storing device (if so equipped).

XERISCAPE. A combination of landscaping and irrigation techniques which reduce the demand for water requirement to maintain a given landscape. Primary techniques are: use of water-conserving plants, minimum amount of turf (grass area), plants grouped based on watering needs, irrigation system designed to meet the needs of the plants in the landscape.

YARD. An open space on the same lot as a building; except as provided herein, it is unoccupied and unobstructed by a structure. Yard width or depth is the shortest horizontal distance from a lot line to the main building.

YARD, FRONT. The area from one side lot line to the other side lot line and between the main building and the street. A front yard line is a line parallel to the street and as far

from the street as required in this chapter. On corner lots (lots abutting on two or more streets at their intersection), the front yard may face either street.

YARD, REAR. The area from one side lot line to the other side lot line and from the main building to the rear lot line. The rear yard is always on the opposite end of the lot from the front yard.

YARD, SIDE. The area from the front building line to the rear building line and from the main building to the side lot line.

ZERO LOT LINE HOME. A structure of two or more dwelling units with common walls at the lot lines between adjoining units, or the placement of a detached home on the lot line on one side with the setback on the other side.

ZONING DISTRICT. Any section of the City of Rio Rancho where regulations governing the use of buildings and premises or the height and area of buildings and lot size are uniform.

Section 2. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 3. Compiling Clause. This Ordinance shall be incorporated in and compiled as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: O30

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Administration

SUBJECT:
O30, Ordinance Amending Chapter 30 Governing Body

BACKGROUND AND ANALYSIS:
First reading of an Ordinance.

This Ordinance is a companion to the Resolution repealing and replacing the Governing Body's Rules of Procedure appearing on the November 16, 2023, meeting agenda.

It has been determined that an update to the Governing Body's Rules of Procedure document is necessary and advised. The City Charter, Section 2.09, states that the Governing Body determines its own rules and order of business.

In conjunction with updating the rules of procedure document, it has been determined that an associated update to Municipal Code is necessary.

Public forum (i.e., the public offering comments at a noticed public meeting of elected Governing Body members not related to any meeting agenda item) is not required to be included on any local public meeting agenda per Federal or State laws.

Historically, public forum has appeared on the agendas of noticed public meetings of the Governing Body where action is scheduled to take place as a result of public forum referenced in Municipal Code and the Governing Body's rules of procedure document.

Public forum reference removal from Municipal Code will not eliminate public forum from appearing on noticed public meeting agendas of the Governing Body where action is scheduled to take place. Public forum is retained and further defined via an updated rules of procedure document the Governing Body is considering at its November 16, 2023, meeting, which has effective date of December 26, 2023.

IMPACT:
Public forum will be accounted for and prescribed via the Governing Body's Rules of Procedure document, which is adopted via Resolution.

ALTERNATIVES:
Approve the Ordinance.

Do not approve the Ordinance.

DEPARTMENT RECOMMENDATION:

Staff recommends approval of the Ordinance as presented.

ATTACHMENT: Ordinance

CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. **ENACTMENT NO.**

ORDINANCE AMENDING CHAPTER 30 GOVERNING BODY

WHEREAS: the Governing Body has determined that an update to its rules of procedure document is necessary; and

WHEREAS: in conjunction with updating the rules of procedure document, it has been determined that an associated update to Municipal Code is necessary; and

WHEREAS: public forum (i.e., the public offering comments at a noticed public meeting of elected Governing Body members not related to any meeting agenda item) is not required to be included on any local public meeting agenda per Federal or State laws; and

WHEREAS: public forum at noticed public meetings of the Governing Body where action is scheduled to take place is retained and further defined via an updated rules of procedure document.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. Title III, Chapter 30 Governing Body, Section 30.06 "Addressing the Governing Body", R.O. 2003, is hereby amended as follows (underline is new text and strikethrough is deleted text):

30.06 ADDRESSING THE GOVERNING BODY.

<u>The Governing Body's rules of procedure shall prescribe the manner in which the Governing Body may be addressed at noticed public meetings.</u>

~~(A) Public forum.~~

~~(1) Any person wishing to address the governing body on any item which is not on the agenda, shall register with the City Clerk within 15 minutes before the beginning of the meeting.~~

~~(2) Speakers shall be recognized in the order of registration with the City Clerk.~~

~~(B) Manner of address.~~

~~(1) Each person shall seek the recognition of the presiding officer.~~

~~(2) Each person shall give his name and address.~~

~~(3) Comments or questions shall be addressed to the governing body as a whole through~~

~~the presiding officer and not to any members thereof.~~

~~(4) No person shall enter into any discussion without the permission of the presiding officer.~~

~~(C) Time limit. The presiding officer may place a limit on the amount of time any person may speak after being recognized.~~

Section 2. Severability Clause. If any section, paragraph, clause, or provision of this Ordinance, or any section, paragraph, clause, or provision of any regulation promulgated hereunder shall for any reason be held to be invalid, unlawful, or enforceable, the invalidity, illegality, or unenforceability of such section, paragraph, clause, or provision shall not affect the validity of the remaining portions of this Ordinance or the regulation so challenged.

Section 3. Compiling Clause. This Ordinance shall be incorporated in and compiled as part of the Revised Ordinances of the City of Rio Rancho, (R.O. 2003).

Section 4. Effective Date. This Ordinance shall become effective ten days after adoption.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R150

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Financial Services

SUBJECT:
R150, Resolution Approving the Proposed Community Development Block Grant (CDBG) Substantial Amendment and a Budget Adjustment to the CDBG Fund (375)

BACKGROUND AND ANALYSIS:
The Resolution adopts the proposed amendment to reallocate Federal Community Development Block Grant (CDBG) funds for $107,634.80 from completed activities for planning and administration, supportive housing, and public facilities to a new eligible use for the American with Disabilities Act (ADA) ramp construction.

Financial Services staff published legal notice in the Albuquerque Journal and Rio Rancho Observer regarding the proposed amendment to the 2018-2022 Consolidated Plan and Annual Action Plans for program years 2020, 2021, and 2022. The required thirty-day public comment period ends November 16, 2023. Upon adoption of this Resolution, CDBG funds will be reallocated to the ADA ramp project on Golf Course Road from Chianti Road to Cabezon Boulevard.

IMPACT:
Funds will be reallocated within the CDBG Fund (375) with no impact to the General Fund.

ALTERNATIVES:
Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:
Staff recommends approval of the Resolution.

ATTACHMENT: PW CDBG_Substantial_Amendment_11_2023_Resolution.docx

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION APPROVING THE PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SUBSTANTIAL AMENDMENT AND A BUDGET ADJUSTMENT TO THE CDBG FUND (375)

WHEREAS: City staff has published public notices for the proposed amendment to the 2018-2022 Consolidated Plan and Annual Action Plans for program years 2020, 2021, and 2022; and

WHEREAS: the required thirty-day public comment period to obtain citizen participation concludes on November 16, 2023; and

WHEREAS: the City has conducted a public hearing at the regular Governing Body meeting on November 16, 2023; and

WHEREAS: a budget adjustment is required to correctly reallocate and classify expenditures for a proposed American with Disabilities Act (ADA) ramp project.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. The proposed amendment to the 2018-2022 Consolidated Plan and Annual Action Plans for program years 2020, 2021, and 2022 in the amount of $107,634.80 is approved.

Section 2. That authorization is given for the following budget adjustment:

Community Development Block Grant Fund (375)

Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
375-0000-445.10-05 Salaries and Wages / Exempt Full-Time	FS2390	$18,509		$2,022	$16,487
375-0000-445.10-09 Salaries and Wages / Non-Exempt Full-Time	FS2390	$58,472		$5,772	$52,700
375-0000-445.10-37 Salaries and Wages / Longevity Pay	FS2390	$421		$6	$415
375-0000-445.20-01 Benefits / PERA - General	FS2390	$15,936		$1,439	$14,497
375-0000-445.20-05 Benefits / FICA	FS2390	$1,145		$116	$1,029

375-0000-445.20-15 Benefits / Workers' Compensation	FS2390	$338		$30	$308
Account	Project No.	Revised Budget	Increase	Decrease	Adjusted Budget
375-0000-445.20-20 Benefits / Health Insurance	FS2390	$9,688		$1,124	$8,564
375-0000-445.20-25 Benefits / Life Insurance	FS2390	$101		$7	$94
375-0000-445.20-40 Benefits / Retiree Health Care	FS2390	$1,640		$156	$1,484
375-0000-445.40-40 Programs / Program Activities	See Note*	$50,863		$25,696	$25,167
375-0000-445.41-01 Grant Programs / Grant Programs	FS2278	$340,707		$9,922	$330,785
375-0000-445.41-04 Grant Programs / CDBG Subrecipient Project	FS2390	$12,206		$12,206	$0
375-0000-445.70-37 Capital Expenditures / Infrastructure Systems	See Note**	$49,129	$58,504		$107,633
375-0000-445.90-01 Ending Fund Balance / Unreserved	N/A	$8		$8	$0
Total Uses		$559,163	$58,504	$58,504	$559,163

*FS2278: $18,313
FS2390: $7,383

**FS2187: $1
FS2278: $28,238
FS2390: $30,265

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R151

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Administration

SUBJECT:
R151, Resolution Repealing and Replacing Governing Body Rules of Procedure

BACKGROUND AND ANALYSIS:
The City Charter, Section 2.09, states that the Governing Body determines its own rules and order of business.

Rules of procedure are necessary to provide an orderly and methodical plan so that the business and questions that come before the Governing Body may receive proper consideration and prioritization.

The Governing Body first adopted rules of procedure in 1994 (Resolution No. 95/Enactment No. 94-093), and were subsequently amended 10 times over the years.

The last review and amendment of the rules of procedure occurred in 2015. Reviewing and updating the rules of procedure document was identified as a need to the Governing Body at a public meeting in September 2022. Over the years, elected officials and City staff have identified a variety of necessary and recommended amendments.

The proposed changes to the rules of procedure document provide the following:

-inclusion of information found in the City's Charter, Municipal Code, and State law to make the document more informative/comprehensive

-a defined process for requesting legislation/material drafting for meetings

-updates, additions, and establishment of guidelines regarding public forum, public input on agenda items, and public hearings at meetings

-definition of terms to provide clarity

-formatting

-procedural updates

-removal of non-applicable language and redundancy

This Resolution has a companion Ordinance (requires two readings – November 16 and December 14, 2023) that removes reference to public forum (i.e., the public offering comments at a noticed

public meeting of elected Governing Body members not related to any meeting agenda item) from Municipal Code. Public forum at noticed public meetings where the Governing Body is scheduled to take action is retained and further defined via the updated rules of procedure document.

IMPACT:

If the Resolution is approved, updated Governing Body Rules of Procedure will be adopted and take effect on December 26, 2023.

ALTERNATIVES:

Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:

City staff recommends approval of the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: Rules of Procedure Governing Body as of July 22 2015.pdf
ATTACHMENT: Updated Rules of Procedure Governing Body

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

RESOLUTION REPEALING AND REPLACING GOVERNING BODY RULES OF PROCEDURE

WHEREAS: City Charter Section 2.09, states that the Governing Body determines its own rules and order of business; and

WHEREAS: rules of procedure are necessary to provide an orderly and methodical plan so that the business and questions that come before the Governing Body may receive proper consideration and prioritization; and

WHEREAS: the Governing Body first adopted rules of procedure in 1994 (Resolution No. 95/Enactment No. 94-093), and were subsequently amended 10 times over the years; and

WHEREAS: the last review and amendment of the rules of procedure occurred in 2015, and since that time, elected officials and City staff have identified a variety of necessary and recommended amendments.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

Section 1. The Governing Body Rules of Procedure, initially adopted via Resolution No. 95/Enactment No. 94-093, and all subsequent amendments, are hereby repealed and replaced with the Governing Body Rules of Procedure attached hereto as Exhibit A.

Section 2. The effective date of the Resolution shall be December 26, 2023.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)



GOVERNING BODY RULES OF PROCEDURE

ADOPTED: RESOLUTION (94-093) JULY 27, 1994
AMENDED: (94-098); (95-046); (96-087); (03-050); (04-050); (12-047); (14-042); (14-047) (14-049) (15-054 – JULY 22, 2015)

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ARTICLE I
GENERAL PROVISIONS

1.1 Meetings

A. Meetings of the Governing Body shall be held in accordance with Section 2-2-6 R.O. 1987, and in compliance with the Open Meetings Act, NMSA, 1978, §10-15-1 et. seq.

B. All binding actions of the Governing Body shall be taken at regular meetings, special meetings, or emergency meetings

C. The Governing Body may recess and reconvene a meeting to a subsequent date provided that prior to recessing, the presiding officer specifies the date, time and place for continuation, and immediately posts notice of the date time and place for the reconvened meeting on or near the door of the Council Chambers and in the lobby of City Hall. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.

D. Notice of all meetings shall be in accordance with the City Open Meetings Resolution.

E. Work Sessions.

1. Work sessions may be held for the purpose of examining issues, but no official action may be taken.
2. Non-mandatory work sessions held in accordance with Section 2-2-6 (R.O. 1987) will be held for the purpose of formulating policy issues.
   a. Nonmandatory work sessions are limited to two hours.
   b. Public input will be allowed only at the discretion of the presiding officer.

[03-050]

1.2 Attendance

A. Members of the Governing Body are expected to attend all scheduled meetings and shall make every effort to attend all special meetings.

B. In accordance with the Open Meetings Act, NMSA 1978, §10-15-1C, members of the Governing Body may participate in meetings by telephone conference or other similar communications equipment when it is otherwise difficult or impossible to attend the meeting in person.

[15-054]

1.3 Duties of the Presiding Officer

A. The mayor shall possess the powers and perform the following duties:

1. Preserve order and decorum and have general direction of the Council Chambers.
2. Announce the business before the body in the order in which it is to be acted upon.
3. Recognize the speakers entitled to the floor and guide and direct the proceedings of the body.
4. Call for public input on agenda items.
5. Decide all points of order, subject to appeal, unless he prefers to submit the question to the decision of the Governing Body.
6. Put to vote all questions which are regularly moved or otherwise arise in the course of the proceedings.

B. In the absence of the mayor, upon his inability to act, or upon the request of the mayor, the deputy mayor shall preside and shall have all the powers and authority of the mayor.

1.4 Adopted Rules

A. Any matter not covered by these rules shall be governed by decision of the presiding officer, applying Robert's Rules of Order, Newly Revised Edition.

B. Amendment of Rules. These rules or any part thereof may be amended, repealed, altered or rescinded by a vote of a majority of the Governing Body, after notice of intended proposal. Such notice shall be presented by resolution at a regular meeting of the Governing Body.

C. Suspension of Rules. Except for charter, statutory, or ordinance provisions, these rules, or any part thereof, may be temporarily suspended by a majority vote of councilors present. When the suspension of a rule is requested, and no objection is offered, the presiding officer shall announce the rule suspended, and the Governing Body may proceed accordingly.

D. Violation of Rules. Violation of these rules does not invalidate action of the Governing Body.

ARTICLE II
PROCEDURES

2.1 Preparation and Distribution of Agendas

A. The City Clerk, through the city Manager shall prepare the agenda for all Governing Body meetings.
   1. The city Manager may place matters on the consent calendar which are routine or ministerial in nature.
   2. The city clerk shall assure that scheduled public hearings have been duly advertised.

B. All material to be presented to the Governing Body shall be submitted to the city clerk not later than noon nine days prior to the meeting date.

C. An ordinance, resolution or communication is deemed introduced to the Governing Body when filed with the city clerk and issued a number.

D. The agenda, along with introductions and related material, shall be available to each member of the Governing Body at least seven days in advance of the meeting.

E. The agenda shall be posted in the Office of the City Clerk and in the lobby of City Hall at least 72 hours in advance of any meeting.

[96-087]

F. Agenda items for nonmandatory work sessions held in accordance with Section 2-2-6 (R.O. 1987) may be submitted to the City Clerk by the Mayor, City Councilors, or the City Manager.
   1. Agenda items for nonmandatory work sessions will be placed on the agenda in the order in which they are received by the City Clerk.
   2. No more than three items will be placed on any nonmandatory work session agenda.

G. When adjournment closes the nonmandatory work session with business pending, the pending business at the time of adjournment will be taken up as the first item on the agenda of the next scheduled work session.

[03-050]

2.2 Minutes

A. Minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted.

B. Verbatim transcription of entire Governing Body proceedings will be prepared only upon the unanimous consent of the Governing Body.

C. Approval of the minutes shall be placed on the consent calendar. Unless a reading of the minutes is requested by a member, the minutes of previous meetings may be corrected and approved without reading.

D. Previously approved minutes may be corrected whenever an error is noticed, although the time to reconsider the vote has elapsed in accordance with Article II, Section 10 of these rules.

2.3 Order of Business

A. The order of business of the Governing Body shall be conducted in the following order; provided, however that the presiding officer may, during a meeting, rearrange items on the agenda to conduct the business before the Governing Body more efficiently:

Call to order and Pledge of Allegiance
Proclamations and Awards of Merit
Public Forum
Comments by City Councilors
Consent Calendar. The consent calendar is approved by a single motion. Any member of the Governing Body may request an item to be withdrawn from the consent calendar without discussion or vote.
Boards and Commissions
Public Hearings
Second Reading of Ordinances
First Reading of Ordinances
Discussion and Deliberation
City Manager
Comments by City Councilors
Adjournment

B. The order of business for work sessions shall be conducted in the following order:

Call to Order and Pledge of Allegiance
Discussion
Adjournment

[03-050] [12-47] [14-049]

2.4 Ordinances and Resolutions

A. Ordinances. An ordinance ranks highest in authority of all actions of the Governing Body. If duly enacted, an ordinance has the force of law within the municipality and may be enforced in municipal court.

1. Ordinances shall be adopted in accordance with Section 2-2-4 of the City Code.
2. An ordinance is open to amendment on first reading or upon second reading, provided the amendment does not constitute substantive change. Amendments shall be in accordance with Article II, Section 12 of these rules.
3. Substantive amendments offered at second reading shall require adoption of the ordinance to be postponed to a subsequent meeting.

B. Resolutions. A resolution is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character.

1. Governing body action shall be taken by resolution when required by law and in those instances where a formal expression of policy is desired.
2. Resolutions shall be adopted in accordance with Section 2-2-5 of the City Code and shall remain in effect until rescinded or replaced by a subsequent resolution on the same subject.
3. Resolutions are open to amendment provided such amendment does not constitute a substantive change. Amendments shall be in accordance with Article II, Section 12 of these rules.
4. Substantive amendments offered to resolutions may require the resolution to be postponed to a subsequent meeting.

C. Withdrawal of Ordinances and Resolutions

An ordinance or resolution which has been introduced is in the possession of the Governing Body and may be withdrawn only with the consent of the Governing Body.

D. Substitutes for Ordinances and Resolutions

A councilor may recommend that every clause in an ordinance or resolution be changed and that entirely new matter be substituted, so long as the new matter is relevant to the title and subject of the original measure. Introduction of substitute ordinances or resolutions shall be in accordance with Article IV Section 1.2. of these rules.

2.5 Approvals

A. Approvals are the class of action in which the Governing Body shall make the final determination upon the recommendation of the mayor or the city Manager. Those items requiring approval by the Governing Body shall include, but not be limited to:

1. Mayor's communications recommending appointments to boards and commissions;
2. City Manager communications recommending approval of contracts, administrative or departmental requests.

B. Approvals which have been introduced may be withdrawn upon an affirmative vote of the governing body.

2.6 Appeals

Appeals to the Governing Body are the class of action mandated by the charter, statutory or ordinances provisions.

2.7 Proposals for Action

A. Proposals for action shall be presented to the Governing Body for its determination as a definite proposition in the form it is desired that the action be taken or question resolved.

B. Proposals for action shall be in the format adopted by the city administration.

2.8 Motions

A. Presentation of Motions

1. Main Motion. A main motion presents an ordinance, resolution, or other proposition for the passage, adoption, approval, or rejection. The question is usually stated in the positive form, "to pass", "to adopt", "to approve" "to confirm", to concur.
2. A main motion must be seconded before debate can take place and only one main motion may be on the floor at a time. A councilor may give brief explanatory comments before stating the motion, but must refrain from debate until the motion has been seconded. In the absence of a second, the motion fails. Main motions are debatable, amendable, and can be reconsidered after adoption.
3. Motions become the official recorded statement of an action taken by the Governing Body. A motion should therefore be worded in a concise, unambiguous, and complete form appropriate to such a purpose.
4. A motion should not be offered if its only effect is to propose that the body refrain from doing something since the same result can be accomplished by no motion at all.

B. Withdrawal and Modification of Motions. Until a motion is seconded and stated, the mover may withdraw or modify the motion without consent. When a motion is seconded, and stated, it is in the possession of the Governing Body and can, therefore be withdrawn or modified only by consent of the body.

[03-050]

2.9 Postponement of Action

A. Postponement (to a definite time). The motion to postpone defers action on a pending question to some definite, day, or meeting. When a question has been postponed to a certain time, it becomes an order of the day for that time. When the time to which a question has been postponed arrives and the question is taken up, it can be postponed again if the additional delay will not interfere with the proper handling of the postponed question. The motion to postpone is debatable, amendable, and may be reconsidered.

B. To Table. (postpone temporarily) Any measure before the Governing Body may be tabled temporarily at the same meeting. Items must be removed from the table and acted upon prior to adjournment. The motion to table is not debatable, not amendable, and cannot be reconsidered.

C. To Remove from the Table. (Resume Consideration) The purpose is to bring before the Governing Body for action a question that has previously been laid on the table. The motion to remove from the table is not debatable, not amendable and cannot be reconsidered.

2.10 Reconsideration of Action.

The purpose is to permit the Governing Body to reconsider a vote on previous action. The reconsideration of a negative vote on final action is as proper as reconsideration of a favorable vote.

A. Right of Reconsideration

The motion to reconsider may be made at the same meeting or a subsequent meeting. However, certain rules apply as appropriate under the circumstances.

1. The motion must be made by a member who voted on the prevailing side.
2. The motion to reconsider is inappropriate after the action taken has gone into effect or after it is too late for any reason, to reverse the action taken.
3. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.
4. Should the motion for reconsideration pass, the item is immediately before the Governing Body to be acted upon or scheduled for hearing at a subsequent meeting.
5. Should the motion for reconsideration fail, the item remains as adopted.
6. Either the motion to reconsider or notice of intent to reconsider must be made not later than the next regular meeting. A member of the Governing Body may indicate notice of intent to propose reconsideration either orally or in writing.

B. Effect of Reconsideration.

The effect of making the motion to reconsider, or of giving notice of the motion, is to suspend all action on the subject of the motion until the reconsideration is acted upon.

C. Reconsideration at a subsequent meeting.

1. When notice is required for a question, the Governing Body shall comply with all rules requiring public notice.
2. If reconsideration will be taken up at a subsequent meeting, notice of intent will be placed on the agenda. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.

D. Debate of Motion.

Debate on the motion to reconsider will be limited to the merits of the reconsideration and not the merits of the question to be reconsidered.

E. Vote.

The passage of the motion to reconsider requires a majority vote, even if the measure to be reconsidered requires a two-thirds vote.

[03-050]

2.11 Appeal a decision of the presiding officer. An appeal must be made promptly before any debate or other business has intervened. When an appeal is taken, the presiding officer should clearly state the decision being appealed and may state his reasons for his decision. If there is no debate, or when debate is concluded, the presiding officer may put the question to the Governing Body. A majority vote of those present sustains a decision of the presiding officer.

2.12 Amendments

A. Every amendment proposed must be relevant to the subject of the proposition.

B. A proposed amendment takes precedence over the original motion out of which it arises and must be voted upon before the original motion.

C. After an amendment is adopted, the question as amended must be put to a vote.

D. Rejection of an amendment leaves the pending question worded as it was before the amendment was offered.

E. Form of amendments

1. Amendments should be offered in a concise, unambiguous and in a complete form of a motion.
2. In form, amendments may be divided into the following types:
    a. To add (that is to place at the end
    b. To insert
    c. To strike out
    d. To strike out and insert

F. Decision on amendments

1. An amendment, once adopted, may not thereafter at the same meeting be changed or modified, except upon reconsideration of the vote by which it was adopted.
2. When a proposed amendment has been defeated, the same amendment may not be proposed again without first reconsidering the vote by which the amendment lost.

G. The presiding officer may require amendments to be submitted in writing.

H. Withdrawing Amendments and Accepting Modification

1. Amendments may be withdrawn before being seconded and stated by the presiding officer. After it is seconded and stated it is in the possession of the Governing Body and be withdrawn only with the consent of the Governing Body.
2. A member may modify an amendment before it is seconded and stated by the presiding officer. After it is seconded and stated, it is in the possession of the Governing Body and can be modified only with the consent of the body. The presiding officer may put the question of modification without waiting for a motion, if there is no objection.

ARTICLE III
RULES OF ORDER

3.1 Rules of Debate. Debate is the essential feature of a legislative body. It is the means by which the opinions of members are exchanged, questions deliberated and conclusions reached on the business before the body.

A. To permit debate:
   1. There must be a debatable question before the body, and one member must have been recognized as entitled to speak.
   2. All debate must be addressed to the presiding officer, and not to the members.
   3. Debate must be confined to the question before the body.

B. Time Limits. The presiding officer may set time limits in debate.

C. Call the Question (Previous Question). Debate may be closed immediately by calling the question. The motion for the call for the question may motivate unanimous consent to ending debate. Before such a motion has been seconded, the chair may ask if there is any objection to closing debate. If there is no objection, the presiding officer shall immediately call the question. If one member objects, the presiding officer shall ask if there is a second to the motion. If there is a second to the call, he must immediately take a vote on whether to order the call for the question. The call for the question requires a majority vote before the vote on the question to which applied. The call for the questions is neither amendable nor debatable and can be reconsidered.

3.2 Rules of Voting

A. Each councilor in attendance must vote for or against all measures before the Governing Body, unless there is a conflict of interest, for which abstention is recognized. Such conflict of interest disclosure shall be recorded in the minutes.

B. A member shall not explain his vote during voting, which would be the same as debate at such a time.

[94-098]

C. Except for procedural matters, voting shall be by roll call and each councilor's vote shall be recorded in the minutes. Roll call votes shall be at random. Actions declared as procedural by the presiding officer may be decided by a show of hands.

D. No member of the Governing Body shall participate in the discussion, debate, deliberation or vote, or otherwise take part in the decision-making process on any agenda item before the Governing Body in which the member has a conflict of interest. Further, in order to avoid the appearance of impropriety, any member determined to have a conflict of interest on any agenda item before the Governing Body shall leave the meeting room, except that if the matter is being considered at a public meeting, the Governing Body member may remain in the area of the room occupied by the general public.

[04-050]

3.3 Decorum

A. Members must address all remarks through the presiding officer.

B. Members of the Governing Body shall confine their remarks to the question under discussion or debate, avoiding personal references or attacks on fellow members, staff members or members of the public. No member of the Governing Body shall engage in private discourse or commit any other act tending to distract the attention of the Governing body from the business before it.

C. A member who resorts to persistent irrelevance or persistent repetition may be directed to discontinue his speech by the presiding officer.

D. Point of Order. A councilor may call attention to the violation of the rules or a mistake in procedure by rising to a point of order. The presiding officer may permit a full explanation before ruling on the claim and may submit the question to the Governing Body for decision by a majority vote. The presiding officer is not required to decide any point of order not directly presented in the proceedings of the body. Such an assertion does not require a second, is not debatable nor amendable and cannot be reconsidered.

E. Question of Privilege. Questions of privilege do not relate to pending business, but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else. The presiding officer makes a ruling as to whether it is admitted as a question of privilege and whether it requires consideration before the pending business is resumed.

3.4 Public Hearing Procedures

A. Reasonable efforts shall be made to give notice of public hearings to all interested people. Notice of public hearings shall state the subject, the time and place of the public hearing, the manner in which interested people may express their views and where interested people may obtain copies of the material that is the subject of the hearing.

B. A meeting of the Governing Body is called to order and business, if any, is considered until the public hearing comes on the agenda.

C. At the beginning of the public hearing, the presiding officer shall require that all interested persons, who have an immediate, pecuniary or direct interest that will be substantially and specifically affected by the proceeding, and witnesses sponsored by such interested persons, wishing to address the Governing Body register with the City Clerk, giving their names and addresses, and whether they wish to speak as a proponent, opponent, or otherwise. Any person who fails to register shall not be permitted to speak until all those who signed in have spoken.

D. All interested persons offering testimony as parties to the proceeding and their witnesses will be sworn by the City Clerk and are subject to cross-examination by other parties, city staff or the Governing Body. Objections to the proffered testimony of any person must be made at the time the testimony is offered. Because the Governing Body conducts de novo hearings, an interested person does not have to appear before the Planning and Zoning Board to participate as a party in a land use proceeding. However, appeals of final decisions of the Planning and Zoning Commission can only be brought by an “aggrieved person” who appeared as an interested person before the Planning and Zoning Board. An aggrieved person is a person who has a direct personal or pecuniary interest, or a property right, which is affected by the decision being appealed. The aggrieved party’s interest must be an immediate and substantial consequence of the decision, and not merely nominal or remote.

E. The presiding officer may change the order of speakers so that testimony is heard in the most logical groupings, e.g., proponents, opponents, adjacent owners, vested interests, etc.

F. The presiding officer will introduce the item, open the public hearing and call upon the staff to submit its report into evidence and request the proponent to describe the matter under consideration.

G. Interested persons shall have the opportunity to submit data, views or arguments orally or in writing. All written material must be marked as exhibits, submitted to the Clerk, and placed into evidence as part of the administrative record. Cross examination of a witness or interested persons, expressing their views although expressly permitted, may be limited in the discretion of the presiding officer.

H. The presiding officer may establish reasonable speaker time limits and otherwise control presentations to avoid repetition or the introduction of incompetent evidence Additional time may be granted if appropriate and necessary to secure a full and fair presentation of either factual or opinion testimony or of legal argument.

I. After the proponents and opponents have had an opportunity to be heard, the presiding officer will call for rebuttal. A proponent or opponent speaking in rebuttal shall not introduce new material.

J. After the Governing Body has heard all the evidence, the presiding officer closes the public hearing and entertains a motion. Following the motion and its second, discussion occurs among the body. Comments from the general public on legal or policy matters raised by the proceeding may be received after the close of the public hearing, but will not be considered as evidence or as part of the record by the Governing Body. The presiding officer calls the question and requests identification and adoption of proposed facts and conclusions of law that support the Governing Body's decision to be issued in a written order.

K. The Governing Body shall promptly prepare a written decision that includes an order granting or denying relief and a statement of the factual and legal basis for the order; shall file the order with the City Clerk; and shall serve a copy of the written decision and the requirements for filing an appeal on all persons who appeared as interested persons in the proceeding and every person who has filed a written request for notice of the final decision in that particular proceeding.

[03-050]

ARTICLE IV
GENERAL PROCEDURES

4.1 Councilors Responsibilities

A. Initiation of Proposals for Action

1. Requests for initiation of legislation shall be directed through the City Manager. As sponsor of legislation, it is the responsibility of the councilor to present the proposal to the Governing Body. City staff is available to assist in the preparation of the necessary documents.
2. Substitute Legislation. A proposal for a substitute ordinance or resolution in accordance with Article II, Section 4.D. of these rules, shall be submitted through the mayor and made available to the members of the Governing Body at least twenty-four hours prior to the meeting at which the matter is to be discussed.

B. In addition to other duties, responsibilities and rights, the governing body shall:

1. In all public statements, make clear that they speak only for themselves unless authorized by the Mayor or a majority of the Council to speak for the Governing body as a whole.
2. Insure that the Mayor is informed, as soon as practical, of significant communications with outside entities, be they either directed to, or initiated by the Councilor.
3. Refrain from negotiating contracts on behalf of the city, without authority from the City Manager. Only the City Manager or his designee, can negotiate a contract on behalf of the city.

[**94-093]**

4.2 Supplemental Legal Opinions

A. The mayor or any city councilor may request a supplemental legal opinion by making a written request and having the request placed on the agenda of the Governing Body.

B. The request for supplemental legal opinion shall identify the opinion from which the supplemental opinion is sought and the basis for disagreement with the opinion.

C. The Governing Body may, in its discretion approve or reject the request for supplemental legal opinion by a majority vote of its members.

D. If the Governing body approves the request for supplemental legal opinion, the lawyer or law firm selected will be by mutual consent of the member seeking the supplemental opinion and the remaining members of the Governing Body. The Governing Body will also approve payment of the costs of the supplemental legal opinion from City funds.

E. The Governing Body will approve no more than one supplemental legal opinion on any given subject. This provision does not prevent the mayor or any city councilor from retaining from his/her private funds, an attorney to render additional opinions on any matter whatsoever.

F. Any request for supplemental legal opinion which fails to obtain a majority vote in the affirmative shall not be reintroduced to the Governing Body for a period of six months, or the decision of a simple majority of the Governing Body.

[95-046]

4.3 Special Committees

A. Scope. A committee formed by approval of the Governing Body for fact-finding purposes regarding a specific, clearly defined issue.

B. Purpose. The purpose of a Special Committee is to formulate recommendations and/or draft proposals on a specific issue to be presented to the Governing Body members.

C. Rules

1. The Committee shall not be comprised of more than three (3) members of the Governing Body and may include city staff and no more than two members of the public.

2. The Committee members are strictly prohibited from discussing committee activity with members of the Governing Body who are not part of the Committee.

3. The proposal for the creation of the Committee shall be made publicly at a regularly scheduled Governing Body meeting via a Resolution sponsored by a Governing Body member. The Resolution must specify Committee subject matter and final report date (three months from Committee creation approval). A Committee can only be established by majority vote of the Governing Body.

   If the Resolution creating the Committee is approved by majority vote of the Governing Body, the Resolution sponsor is automatically designated to serve on the Committee. Immediately after the Resolution's passage the following shall occur at that Governing Body's regular meeting:

   a) A Governing Body member who wishes to participate on the Committee shall express their desire to do so;

   b) If more than two (2) Governing Body members other than the sponsor desire to participate on the Committee, they will be selected through a random process administered by the City Clerk in public;

   c) The City Manager shall publicly indicate which city staff member or members the City Manager is appointing to serve on the Committee, if any, and the City Manager shall have the sole responsibility and ability to appoint city staff to serve on the Committee;

   d) The City Manager shall publicly indicate which member(s) of the public the City Manager is appointing to serve on the Committee, if any, and the City Manager shall have the sole responsibility and ability to appoint a member(s) of the public to serve on the Committee;

   e) Once it has been publicly determined which Governing Body members have been designated to serve on the Committee and the City Manager has publicly stated which city staff, if any, and member(s) of the public, if any, the City Manager has appointed to serve on the Committee, the Committee membership must be confirmed by majority vote of the Governing Body.

4. Governing Body meeting agendas and associated items such as Resolutions are noticed/posted and made available to the public on the City's Web site a minimum of three (3) days prior to a Governing Body meeting. Any member of the public desiring to be appointed by the City Manager as a volunteer to serve on a Committee that is being proposed to be created must submit a request on a form provided by the City to the City Manager's Office by 5 p.m. the day before the Governing Body meeting where the Resolution creating a Committee is being considered. Only members of the public who submit a letter of interest by the required

deadline will be considered by the City Manager for appointment to serve on a Committee and can be confirmed by majority vote of the Governing Body.

5. All Special Committees shall require re-authorization by the Governing Body three (3) months after its creation. Re-authorization of the Special Committee shall not exceed six (6) months.

6. The recommendations of a Special Committee shall not be binding and are subject to approval of the Governing Body. The Special Committee shall provide at least two (2) proposals or recommendations to the Governing Body. The Special Committee may recommend that the Governing Body take no further action on a particular issue.

7. Special Committees shall not be authorized to act or make any decision on behalf of the Governing Body.

8. Governing Body members may not participate on more than two (2) Special Committees at any one time; any exception to this can be made only upon a vote by majority.

9. Special Committees may have no less than four (4) participants and no more than seven (7). Committee members who are not members of the Governing Body or city staff may not participate in more than two (2) committees per calendar year unless authorized by a majority vote of the Governing Body.

10. The Special Committee shall select a Chairperson and the Chair shall present recommendations to the Governing Body during a scheduled work session or Governing Body meeting.

11. Any exception to the rules above must be voted on by a majority of the Governing Body.

[14-042] [14-047]

Revised: July 9, 2014

Exhibit A



GOVERNING BODY RULES OF PROCEDURE

Effective December 26, 2023

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Article I General Provisions

1.1 Governing Body

A. The City of Rio Rancho Governing Body consists of the Mayor (at-large) and six (6) City Councilors, each representing a distinct geographical City district.

B. The Mayor shall preside at meetings of the Governing Body and shall be entitled to cast a vote only in the event of a tie among the City Councilors or when fewer than six (6) City Councilors are present, pursuant to City Charter Section 3.01.

C. No less often than at the organization meeting following each municipal election, a Deputy Mayor shall be elected from among the City Councilors. In the absence of the Mayor, the Deputy Mayor shall preside and possess all the powers and authority of the Mayor. The Deputy Mayor shall be entitled to vote only once on matters coming before the Governing Body and shall be entitled to cast a vote as a City Councilor and not to break a tie, pursuant to City Charter Section 3.03.

Pursuant to Municipal Code Section 31.16, in the absence of the Deputy Mayor, the senior Governing Body member present shall preside as Deputy Mayor until the Governing Body may appoint an Acting Deputy Mayor. In those instances where the Governing Body members have equal seniority, the member representing the district with the lowest district number shall preside.

D. Four (4) members of the Governing Body shall constitute a quorum.

1. If there are two (2) or more vacancies on the Governing Body a quorum shall be a majority of the members of the Governing Body excluding those offices which are vacant, pursuant to City Charter Section 2.09.
2. The Mayor shall be counted as a member for purposes of determining a quorum, pursuant to Municipal Code Section 30.05.
3. No action shall be taken by the Governing Body unless a quorum is present, provided that a number less than a quorum may adjourn from time to time, and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Governing Body, pursuant to City Charter Section 2.09.

1.2 Meetings

A. Meetings of the Governing Body shall be held in accordance with City Charter Section 2.09, and the Open Meetings Act, 10-15-1 et. seq. NM, 1978. Meetings of the Governing Body include:

1. Regular meetings, as established in the Governing Body's annually adopted Open Meetings Act Resolution;
2. Special meetings, as called by the Mayor or three or more City Councilors, pursuant to City Charter Section 2.09;
3. Emergency meetings, as called by the Mayor or three or more City Councilors 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, pursuant to 10-15-1 et. seq. NMSA,1978;
4. Work Session meetings, as set in the Governing Body's annually adopted Open Meetings Act Resolution; and

5. Closed Session meetings, whether closure is made during an open meeting or called outside of an open meeting, pursuant to 10-15-1 et. seq. NMSA, 1978.

B. All binding actions of the Governing Body shall be taken at regular, special, or emergency meetings.

C. The Governing Body may recess and reconvene a meeting to a subsequent date provided that prior to recessing, the presiding officer specifies the date, time and place for continuation, and immediately posts notice of the date time and place for the reconvened meeting on or near the door of the Governing Body Chambers, in the lobby of City Hall, and on the City's website. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting, pursuant to 10-15-1 et. seq. NMSA, 1978.

D. Notice of all meetings shall be in accordance with the Governing Body's annually adopted Open Meetings Act Resolution, pursuant to Municipal Code Chapter 30 and 10-15-1 et. seq. NMSA, 1978. The City Clerk shall give notice of Governing Body meetings to its members and the public and cause appropriate public notices to be given, pursuant to City Charter Section 5.06.

E. Regular meetings may be canceled, postponed or rescheduled by vote of at least four (4) members of the Governing Body. The Mayor may cancel a regular meeting in the event of an emergency or for lack of a quorum by giving such notice as is practical under the circumstances, pursuant to Municipal Code Section 30.04.

1.3 Attendance

A. Members of the Governing Body are expected to attend all scheduled meetings in person.

B. In accordance with 10-15-1 et. seq. NMSA, 1978, members of the Governing Body may participate in meetings remotely by telephone conference or other similar communications equipment when it is otherwise difficult or impossible to attend the meeting in person. A Governing Body member may only participate remotely in a meeting utilizing telephone conference or other similar communications equipment no more than four (4) times per calendar year.

1.4 Duties of the Presiding Officer

The Mayor shall possess the powers and perform the following duties:

1. Preserve order and decorum and have general direction of the Governing Body Chambers and Overflow Room, or the room where the meeting is occurring, if elsewhere, pursuant to City Charter Section 3.01.
2. Announce the business before the Governing Body in the order in which it is to be acted upon.
3. Recognize the speakers entitled to the floor and guide and direct the proceedings of the Governing Body.
4. Call for public input on agenda items.
5. Decide all points of order, subject to appeal, unless the Mayor prefers to submit the question to the decision of the Governing Body.
6. Put to vote all questions which are regularly moved or otherwise arise in the course of the proceedings.

1.5 Adopted Rules

A. Application of Robert's Rules of Order. Any matter not covered by these rules shall be governed by decision of the presiding officer, applying Robert's Rules of Order, Newly Revised Edition.

B. Amendment of Rules. These rules or any part thereof may be amended, repealed, altered or rescinded by a vote of a majority of the Governing Body, after notice of intended proposal. Such notice shall be presented by resolution at a regular meeting of the Governing Body.

C. Violation of Rules. Violation of these rules does not invalidate action of the Governing Body.

Article II Procedures

2.1 Preparation of Legislation and Distribution of Agendas

A. The City Clerk, through the City Manager, shall prepare the agenda for all Governing Body meetings.

1. The City Manager may place matters on the consent calendar which are routine or ministerial in nature.
2. The City Clerk shall assure that scheduled public hearings have been duly advertised.
3. All material to be presented to the Governing Body at a regular meeting shall be submitted to the City Clerk in the prescribed format, not later than noon, nine (9) days prior to the meeting date. Prior to any ordinance submission to the City Clerk for agenda inclusion, City Attorney review shall occur, pursuant to Municipal Code Section 31.18.

B. A Governing Body member may request through the City Manager the drafting of an ordinance or resolution by City staff for placement on a meeting agenda, pursuant to these rules.

1. A Request for Legislation Drafting Form (see Appendix A) shall be submitted to the City Manager a minimum of forty-five (45) calendar days prior to the meeting where the legislation is sought to be introduced.
2. The City Manager will notify the requesting Governing Body member within ten (10) business days whether or not legislation drafting, operational impact assessment, fiscal analysis, applicable research, and legal review related to the requested legislation can be completed in the timeframe necessary to appear on the requested meeting agenda. If the requested meeting date cannot be accommodated, the City Manager will provide the reason(s) why and an alternative meeting agenda date will be selected.
3. The Governing Body member's name will be listed as "sponsor" on the legislation and notated into the official record. The Governing Body member will be responsible for presenting the legislation to the Governing Body at each meeting the legislation is scheduled.

C. When a proposed ordinance or resolution is produced and/or provided by a Governing Body member, and lacks City staff document drafting, operational impact assessment, fiscal analysis, and applicable research, the proposed ordinance or resolution shall be placed on a work session meeting agenda for discussion and review, prior to being placed on a meeting agenda where action is taken. Submission of the proposed ordinance or resolution for work session agenda placement shall occur per the timelines stated in these rules. The Governing Body member's name will be listed as "sponsor" on the legislation and notated into the official record. The Governing Body member will be responsible for presenting the legislation to the Governing Body at each meeting the legislation is scheduled.

D. An ordinance, resolution, or communications document is deemed introduced to the Governing Body when filed with the City Clerk and issued a legislation number.

E. The agenda for a regular meeting, along with related material, shall be electronically available by the City Clerk to each member of the Governing Body at least seven (7) days in advance of the meeting.

F. The agenda shall be posted by the City Clerk in accordance with the procedures stipulated in the Governing Body's annually adopted Open Meetings Act Resolution, pursuant to Municipal Code Chapter 30, and 10-15-1 et. seq. NMSA, 1978.

2.2 Minutes

A. Minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted.

B. Verbatim transcription of entire Governing Body proceedings will be prepared only upon the unanimous consent of the Governing Body.

C. Approval of the minutes shall be placed on the consent calendar. Unless a reading of the minutes is requested by a member, the minutes of previous meetings may be corrected and approved without reading.

D. Previously approved minutes may be corrected whenever an error is noticed, and the parameters of these rules related to the reconsideration of an action are not applicable.

2.3 Order of Business

A. Governing Body meetings (regular, special, or emergency) shall be conducted in the following order; however, the presiding officer may, during a meeting, rearrange items on the agenda to conduct the business before the Governing Body more efficiently:

Call to Order
Pledge of Allegiance
Proclamations and Awards of Merit
Public Forum
Consent Calendar
Board/Commission/Committee Reports
Public Hearings
Second Reading of Ordinances
First Reading of Ordinances
Discussion and Deliberation
Comments by City Councilors
City Manager's Report
Adjournment

B. The consent calendar shall be used for legislation that is recommended for approval, without amendment or substitution, that is routine or ministerial in nature. The consent calendar is approved by

a single motion. Discussion of legislation appearing on the consent calendar shall only occur if a member of the Governing Body requests the item to be withdrawn from the consent calendar without discussion or vote.

C. Public Forum

1. Any person wishing to address the Governing Body related to a non-agenda item shall register in person with the City Clerk no later than fifteen (15) minutes prior to the scheduled start time of a meeting.
2. Manner of address:
    a. Each person shall seek the recognition of the presiding officer.
    b. Only the person signed up to speak shall stand at the podium, unless assistance or accommodations are needed to provide the public input.
    c. Each person shall give their name and address.
    d. Comments shall be addressed to the Governing Body as a whole through the presiding officer and not to any members thereof.
    e. No person shall enter into any discussion without the permission of the presiding officer.
    f. Speakers will be recognized by the presiding officer in order of registration with the City Clerk.
    g. Each person speaking under public forum shall have either one (1) or two (2) minutes in total for comments after being recognized by the presiding officer. The presiding officer shall determine the specific amount of time given to public forum speakers at a meeting.
    h. No more than two (2) hours in total will be allotted for public forum comments at any meeting. A majority vote of the Governing Body members present may approve to extend the total amount of time allotted for public forum at a meeting.

D. Public Input on Agenda Items

1. Public input on items listed under Public Hearings shall be taken pursuant to the Public Hearing procedures stated in these rules.
2. Any person wishing to address the Governing Body related to an item listed under Second Reading of Ordinances, First Reading of Ordinances, or Discussion and Deliberation, shall register in person with the City Clerk no later than fifteen (15) minutes prior to the scheduled start time of a meeting. Manner of address:
    a. Each person shall seek the recognition of the presiding officer.
    b. Only the person signed up to speak shall stand at the podium, unless assistance or accommodations are needed to provide the public input.
    c. Each person shall give their name and either City Council District or address.
    d. Comments shall be addressed to the Governing Body as a whole through the presiding officer and not to any members thereof.
    e. No person shall enter into any discussion without the permission of the presiding officer.
    f. Speakers will be recognized by the presiding officer in order of registration with the City Clerk.
    g. Each person speaking on a specific agenda item shall have either one (1) or two (2) minutes in total for comments after being recognized by the presiding officer. The

presiding officer shall determine the specific amount of time given to speakers at a meeting.

h. No more than two (2) hours in total will be allotted for comments pertaining to a specific agenda item at any meeting. A majority vote of the Governing Body members present may approve to extend the total amount of time allotted for public input related to a specific agenda item at a meeting.

i. Public input can be submitted in writing to the City Clerk, as clerk of the Governing Body, prior to the date of the meeting in which the item is scheduled to be heard; however, only public input received before 4 p.m. on the day of the meeting will be entered into the record prior to the meeting.

E. Work Sessions

1. Work sessions may be held for the purpose of examining issues, policy discussions, and receiving information, but no official action or vote may be taken.
2. Work sessions are limited to two (2) hours unless a majority of the Governing Body members attending the work session consent to a time extension.
3. Agenda items may be submitted to the City Clerk by a Governing Body member or the City Manager. An item must be submitted for agenda item inclusion at least seven (7) days in advance of the meeting. Agenda items will be placed on the agenda in the order in which they are received by the City Clerk.
4. A Governing Body member placing an item on an agenda will be listed as "sponsor" for the item and notated into the official record. The Governing Body member will be responsible for presenting the item to the Governing Body at the work session meeting.
5. Any Governing Body member may request through the City Manager the drafting of materials by City staff for use at a work session meeting related to an item they intend to submit for inclusion on a meeting agenda. A Request for Work Session Material Form (see Appendix B) shall be submitted to the City Manager a minimum of thirty (30) calendar days prior to the desired work session meeting date. The City Manager will notify the Governing Body member within five (5) business days whether or not document drafting can be completed in the timeframe necessary to appear on the requested meeting agenda. If the requested meeting date cannot be accommodated, the City Manager will provide the reason(s) why and an alternative meeting agenda date will be selected.
6. No more than three (3) items will be placed on any work session agenda.
7. Public input will not be taken at a work session meeting.
8. Meetings shall be conducted in accordance with the Governing Body's annually adopted Open Meetings Act Resolution, pursuant to Municipal Code Chapter 30, and 10-15-1 et. seq. NMSA, 1978.
9. The order of business for a work session meeting shall be:
    Call to Order
    Pledge of Allegiance
    Discussion
    Adjournment

F. Public Decorum

1. The presiding officer may bar anyone acting improperly from continuing their address to the Governing Body.

2. While the Governing Body is in session, no person shall disturb or cause a breach of the peace, pursuant to Municipal Code Section 131.05 Disturbing the Peace, or delay or interrupt the proceedings of the Governing Body.
3. Electronic devices shall be kept in silent mode during the meeting.
4. No signage, banners, posters, or props shall be held or displayed in the Governing Body Chambers, Overflow Room or the room where the meeting is occurring, if elsewhere, in a manner that blocks the view of others or creates a distraction from the business of the Governing Body.
5. The Director of the Department of Public Safety (Police), or their designee, shall serve as sergeant-at-arms.
6. The Director of the Department of Fire and Rescue, or their designee, shall enforce the room capacity, ingress and egress of the room where the Governing Body meeting is occurring.

2.4 Ordinances and Resolutions

A. Ordinances. An ordinance ranks highest in authority of all actions of the Governing Body. If duly enacted, an ordinance has the force of law within the municipality and may be enforced in municipal court.

1. Pursuant to Municipal Code Section 30.08, an ordinance, other than an ordinance pertaining to a land use and zoning matter as authorized in 3-21-6 NMSA, 1978, shall have two readings prior to adoption.
    a. An ordinance shall be adopted by no less than four (4) affirmative votes, pursuant to City Charter Section 2.11.
    b. If approved on first reading, an ordinance shall be published one time, by title and general summary, as a legal advertisement in a newspaper of general circulation within the City, no later than seven (7) days prior to the meeting at which it is to be considered for adoption.
    c. An ordinance is presented for consideration and adoption at second reading.
    d. An ordinance is open to amendment on first reading or upon second reading, in accordance with these rules.
    e. Substantive amendments, which is defined as three (3) or more non-clerical and/or scrivener's error changes, offered at second reading shall require adoption of the ordinance to be postponed to a subsequent meeting to allow sufficient time for public notice.
    f. Zoning and land use ordinances as authorized in 3-21-6 NMSA 1978 shall be published one time, by title and subject, as a legal advertisement in a newspaper of general circulation within the City, no later than fifteen (15) days prior to the meeting at which it is to be considered for adoption. Only one reading is required for zoning and land use ordinances, at which final action shall be taken, pursuant to Municipal Code Chapter Section 30.08.
2. Adopted ordinances shall become effective at the expiration of ten (10) days after adoption, or at any later date specified therein, pursuant to City Charter Section 2.11. Enacted ordinances shall be published one time, by title and general summary, as a legal advertisement in a newspaper of general circulation within the City, unless otherwise provided by law, pursuant to Municipal Code Section 30.08.

B. Resolutions. A resolution is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character. Governing Body action shall be taken by resolution when required by law and in those instances where a formal expression of policy is desired.

1. A resolution may be adopted at the meeting at which it is introduced, pursuant to Municipal Code Section 30.08.

a. Resolutions shall be adopted by no less than four (4) affirmative votes, pursuant to City Charter Section 2.11.

b. Resolutions shall remain in effect until rescinded or replaced by a subsequent resolution on the same subject.

c. Resolutions are open to amendment provided such amendment does not constitute a substantive change, which is defined as three (3) or more non-clerical and/or scrivener's error changes. Amendments shall be in accordance with these rules.

d. Substantive amendments offered to resolutions require the resolution to be postponed to a subsequent meeting to allow sufficient time for public notice.

2. Adopted resolutions shall become effective upon adoption unless a later date is specified in the resolution, pursuant to Municipal Code Section 30.08.

C. Withdrawal of Ordinances and Resolutions. An ordinance or resolution which has been introduced, as defined in these rules, is in the possession of the Governing Body and may be withdrawn only with the consent of the Governing Body.

D. Substitutes for Ordinances and Resolutions. A Governing Body member may recommend that every clause in an ordinance or resolution is changed and that entirely new matter is substituted, so long as the new matter is relevant to the title and subject of the originally introduced legislation. At least twenty-four (24) hours prior to the meeting date at which the matter is scheduled to be discussed, substitute language for an ordinance or resolution shall be submitted to the City Clerk, who will assign a substitute number and make available to Governing Body members.

E. Emergency Ordinances. An emergency ordinance is an ordinance adopted by the Governing Body to meet a public emergency affecting life, health, property, or the public peace. Such ordinances may not levy taxes; grant, renew or extend a franchise; or regulate the rate charged by any public utility for its services, pursuant to City Charter Section 2.12.

1. An emergency ordinance shall be introduced in the same manner as all other ordinances generally, except that it shall be titled an emergency ordinance and shall contain a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance is subject to amendment and can be adopted at the meeting at which it was introduced.

2. An adopted emergency ordinance shall be published and printed as all other adopted ordinances and shall become effective upon adoption or at a later time as it may specify.

F. Authentication. Enacted ordinances and resolutions shall be authenticated by signature of the Mayor and City Clerk and affixation of the City Seal, pursuant to City Charter Section 2.14 and Municipal Code Section 30.08.

2.5 Approval of Communication Documents

A. Communication documents are the class of action in which the Governing Body shall make the final determination upon the recommendation of the Mayor or the City Manager. Those items requiring

approval by the Governing Body shall include those stipulated in ordinance, resolution, or adopted rules and procedures, but not be limited to:

1. Mayor's communications recommending appointments to boards and commissions; and
2. City Manager communications recommending approval of contracts, administrative, or departmental requests.

B. Communications documents which have been introduced may be withdrawn upon an affirmative vote of the Governing Body members present.

C. Communication documents require a majority vote of the Governing Body members present to be approved. Approved communication documents do not require enactment or authentication, nor must they be legally advertised, unless otherwise provided law.

2.6 Appeals

Appeals to the Governing Body are the class of action mandated by the City Charter, statutory or ordinances provisions.

2.7 Motions

A. Presentation of Motions

1. Main Motion. A main motion presents an ordinance, resolution, or other proposition for the passage, adoption, approval, or rejection. The question is stated in the positive form, "to pass," "to adopt," "to approve," "to confirm," or "to concur."
2. A main motion must be seconded before debate can take place and only one main motion may be on the floor at a time. A Governing Body member may give brief explanatory comments before stating the motion, but must refrain from debate until the motion has been seconded. In the absence of a second, the motion fails. Main motions are debatable, amendable, and can be reconsidered after adoption.
3. Motions become the official recorded statement of an action taken by the Governing Body. A motion should therefore be worded in a concise, unambiguous, and complete form appropriate to such a purpose.
4. A motion should not be offered if its only effect is to propose that the Governing Body refrain from doing something since the same result can be accomplished by no motion at all.

B. Withdrawal and Modification of Motions. Until a motion is seconded and stated, the mover may withdraw or modify the motion without consent. When a motion is seconded, and stated, it is in the possession of the Governing Body and can, therefore, be withdrawn or modified only by consent of the body.

2.8 Postponement of Action

A. Postponement (to a definite time). The motion to postpone defers action on a pending question to some definite, day, or meeting. When a question has been postponed to a certain time, it becomes an order of the day for that time. When the time to which a question has been postponed arrives and the question is taken up, it can be postponed again if the additional delay will not interfere with the proper handling of the postponed question, provided that there shall be no more than two (2) postponements for any item. The motion to postpone is debatable, amendable, and may be reconsidered.

B. To Table (Postpone Temporarily). Any measure before the Governing Body may be tabled temporarily at the same meeting. Items must be removed from the table and acted upon prior to adjournment. The motion to table is not debatable, not amendable, and cannot be reconsidered.

C. To Remove from the Table (Resume Consideration). The purpose is to bring before the Governing Body for action a question that has previously been laid on the table. The motion to remove from the table is not debatable, not amendable and cannot be reconsidered.

2.9 Reconsideration of Action

The purpose is to permit the Governing Body to reconsider a vote on previous action. The reconsideration of a negative vote on final action is as proper as reconsideration of a favorable vote.

A. Right of Reconsideration. The motion to reconsider may be made at the same meeting or a subsequent meeting. However, certain rules apply as appropriate under the circumstances.

1. The motion must be made by a member who voted on the prevailing side.
2. The motion to reconsider is inappropriate after the action taken has gone into effect or after it is too late for any reason, to reverse the action taken.
3. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.
4. Should the motion for reconsideration pass, the item is immediately before the Governing Body to be acted upon or scheduled for hearing at a subsequent meeting.
5. Should the motion for reconsideration fail, the item remains as adopted.
6. Either the motion to reconsider or notice of intent to reconsider must be made not later than the next regular meeting. A member of the Governing Body may indicate notice of intent to propose reconsideration either orally or in writing to the City Clerk.

B. Effect of Reconsideration. The effect of making the motion to reconsider, or of giving notice of the motion, is to suspend all action on the subject of the motion until the reconsideration is acted upon.

C. Reconsideration at a Subsequent Meeting.

1. When notice is required for a question, the Governing Body shall comply with all rules requiring public notice.
2. If reconsideration will be taken up at a subsequent meeting, notice of intent will be placed on the agenda by the City Clerk. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.

D. Debate of Motion. Debate on the motion to reconsider will be limited to the merits of the reconsideration and not the merits of the question to be reconsidered.

E. Vote. The passage of the motion to reconsider requires a majority vote, even if the measure to be reconsidered requires a two-thirds vote.

2.10 Appeal a Decision of the Presiding Officer

An appeal must be made promptly before any debate or other business has intervened. When an appeal is taken, the presiding officer should clearly state the decision being appealed and may state the reasons

for their decision. If there is no debate, or when debate is concluded, the presiding officer may put the question to the Governing Body. A majority vote of those present sustains a decision of the presiding officer.

2.11 Amendments

A. Every amendment proposed must be relevant to the subject of the proposition.

B. A proposed amendment takes precedence over the original motion out of which it arises and must be voted upon before the original motion.

C. After an amendment is approved, the question as amended must be put to a vote.

D. Rejection of an amendment leaves the pending question worded as it was before the amendment was offered.

E. Form of Amendments

1. Amendments should be offered in a concise, unambiguous, and in a complete form of a motion, to include the page and line number of the content to be amended.
2. In form, amendments may be divided into the following types:
    a. To add (that is to place at the end)
    b. To insert
    c. To strike out
    d. To strike out and insert

F. Decision on Amendments

1. An amendment, once adopted, may not thereafter at the same meeting be changed or modified, except upon reconsideration of the vote by which it was adopted.
2. When a proposed amendment has been defeated, the same amendment may not be proposed again without first reconsidering the vote by which the amendment lost.
3.The presiding officer may require amendments to be submitted in writing.

G. Withdrawing Amendments and Accepting Modification

1. Amendments may be withdrawn before being seconded and stated by the presiding officer. After it is seconded and stated it is in the possession of the Governing Body and can be withdrawn only with the consent of the Governing Body.
2. A member may modify an amendment before it is seconded and stated by the presiding officer. After it is seconded and stated, it is in the possession of the Governing Body and can be modified only with the consent of the body. The presiding officer may put the question of modification without waiting for a motion, if there is no objection.

Article III Governing Body Member Rules of Order

3.1 Rules of Debate

Debate is the essential feature of a legislative body. It is the means by which the opinions of members are exchanged, questions deliberated, and conclusions reached on the business before the Governing Body.

A. To permit debate:

1. There must be a debatable question before the Governing Body, and one member must have been recognized by the presiding officer as entitled to speak.
2. All debate must be addressed to the presiding officer, and not to the other members or public.
3. Debate must be confined to the question before the Governing Body.

B. Time Limits. The presiding officer may set time limits in debate. No Governing Body member shall be permitted to speak more than once on any motion until every member wishing to speak has been allowed to do so.

C. Call the Question (Previous Question). Debate may be closed immediately by calling the question. The motion for the call for the question may motivate unanimous consent to ending debate. Before such a motion has been seconded, the presiding officer may ask if there is any objection to closing debate. If there is no objection, the presiding officer shall immediately call the question. If one member objects, the presiding officer shall ask if there is a second to the motion. If there is a second to the call, they must immediately take a vote on whether to order the call for the question. The call for the question requires a majority vote before the vote on the question to which applied. The call for the questions is neither amendable nor debatable and can be reconsidered.

3.2 Rules of Voting

A. Each City Councilor, and the Mayor when applicable pursuant to City Charter Section 3.01, in attendance must vote for or against all measures before the Governing Body, unless there is a conflict of interest, for which abstention is recognized. Such conflict of interest disclosure shall be recorded in the minutes.

B. A Governing Body member shall not explain their vote during voting, which would be the same as debate at such a time.

C. Except for procedural matters, voting shall be by roll call and each member's vote shall be recorded in the minutes. Roll call votes shall be at random. Actions declared as procedural by the presiding officer may be decided by a show of hands.

D. No member of the Governing Body shall participate in the discussion, debate, deliberation or vote, or otherwise take part in the decision-making process on any agenda item before the Governing Body in which the member has a conflict of interest. Further, in order to avoid the appearance of impropriety, any member determined to have a conflict of interest, as determined by majority vote of the Governing Body members present, on any agenda item before the Governing Body shall leave the meeting room. If the matter is being considered at a public meeting, the Governing Body member may remain in the area of the room occupied by the general public.

3.3 Decorum

A. Members must seek recognition of the presiding officer before speaking and must address all remarks through the presiding officer.

B. Members of the Governing Body shall confine their remarks to the question under discussion or debate, avoiding personal references or attacks on fellow members, City staff members, or members of the public. No member of the Governing Body shall engage in private discourse or commit any other act tending to distract the attention of the Governing Body from the business before it.

C. A member who resorts to persistent irrelevance or persistent repetition may be directed to discontinue their speech by the presiding officer.

D. Point of Order. A Governing Body member may call attention to the violation of the rules or a mistake in procedure by rising to a point of order. The presiding officer may permit a full explanation before ruling on the claim and may submit the question to the Governing Body for decision by a majority vote of the members present. The presiding officer is not required to decide any point of order not directly presented in the proceedings of the body. Such an assertion does not require a second, is not debatable nor amendable, and cannot be reconsidered.

E. Question of Privilege. Questions of privilege do not relate to pending business, but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else. The presiding officer makes a ruling as to whether it is admitted as a question of privilege and whether it requires consideration before the pending business is resumed.

3.4 Public Hearing Procedures

A. Reasonable efforts shall be made to give notice of public hearings to all interested people. Notice of public hearings shall state the subject, the time and place of the public hearing, the manner in which interested people may express their views, and where interested people may obtain copies of the material that is the subject of the hearing.

B. A meeting of the Governing Body is called to order and business, if any, is considered until the public hearing comes on the agenda.

C. All aggrieved persons, and materially relevant witnesses sponsored by such interested persons, wishing to participate in the public hearing and address the Governing Body shall register in person or via specified communications technology/equipment with the City Clerk no later than fifteen (15) minutes prior the scheduled start time of a related hearing. For the purposes of a Public Hearing, an Aggrieved Person is a person who has a direct personal or pecuniary interest, or a property right, which is affected by the decision being considered by the Governing Body. The Aggrieved Person's interest must be an immediate and substantial consequence of the decision, and not merely nominal or remote. Any person who receives specific notice of an official action which is required pursuant to ordinances shall be considered an Aggrieved Person. Those who register must provide name and address, and whether they wish to speak as a proponent or opponent, and how they qualify as an Aggrieved Person as defined above. Any person who fails to register shall not be permitted to speak.

D. All Aggrieved Persons offering testimony as parties to the proceeding and their materially relevant witnesses will be sworn by the City Clerk and may be questioned by the Governing Body. The Governing Body conducts de novo hearings, as such, an Aggrieved Person does not have to appear before the Planning and Zoning Board to participate as a party in a land use proceeding. However, appeals of final

decisions of the Planning and Zoning Board may only be brought by an "Aggrieved Person" who appeared before the Planning and Zoning Board.

E. The order of speakers for a Public Hearing item is:

1. City staff presentation
2. Proponent/Applicants
3. Opponent/ Aggrieved Persons
4. Governing Body question of parties (also allowed throughout the proceeding)

The presiding officer may change the order of speakers so that testimony is heard in the most logical groupings.

F. The presiding officer will introduce the item, open the public hearing and call upon the City staff to submit its report into evidence, and request the proponent to describe the matter under consideration.

G. Aggrieved Persons shall have the opportunity to submit data, views, or arguments orally or in writing. All written material must be marked as exhibits, submitted to the City Clerk a minimum of ten (10) days prior to the hearing date, and placed into evidence as part of the administrative record.

H. The presiding officer may establish reasonable speaker time limits and otherwise control presentations to avoid repetition or the introduction of irrelevant evidence. Additional time may be granted if appropriate and necessary to secure a full and fair presentation of either factual or opinion testimony or of legal argument.

I. After the proponents and opponents have had an opportunity to be heard, the presiding officer will allow Governing Body members to ask questions of the parties and Aggrieved Persons.

J. After the Governing Body has heard all the evidence, the presiding officer closes the public hearing and entertains a motion. Following the motion and its second, discussion occurs among the body. Comments from the general public on legal or policy matters raised by the proceeding may be received after the close of the public hearing, but will not be considered as evidence or as part of the record by the Governing Body. The presiding officer calls the question and requests identification and adoption of proposed facts and conclusions of law that support the Governing Body's decision to be issued in a written order.

K. The Governing Body shall promptly prepare a written decision that includes an order granting or denying relief and a statement of the factual and legal basis for the order; shall file the order with the City Clerk; and shall mail a copy of the written decision to all persons who appeared as Aggrieved Persons in the proceeding. Mailing will be done by certified mail to the address provided by the Aggrieved Person at the proceeding.

L. No member of the Governing Body shall initiate, permit or consider a communication directly or indirectly with a party or the party's representative outside of the hearing and outside of the presence of all interested parties concerning the pending matter, pursuant to Municipal Code Section 39.23.

Article IV General Procedures

4.1 City Councilor Responsibilities

In addition to other duties, responsibilities, and rights pursuant to the City Charter and adopted ordinances and resolutions, a City Councilor shall:

1. In all public statements, make clear that they speak only for themselves unless authorized by the Mayor or a majority of the City Council to speak for the Governing Body as a whole.
2. Ensure that the Mayor is informed, as soon as practical of significant communications with outside entities, be they either directed to, or initiated by the City Councilor.
3. Refrain from negotiating contracts on behalf of the City. Only the City Manager, or their designee(s), can negotiate a contract on behalf of the City pursuant to City Charter Section 3.07.

4.2 Supplemental Legal Opinions

A. Pursuant to City Charter Section 5.05, the City Attorney shall serve as chief legal advisor to the Mayor, Governing Body, City Manager, and all City departments, offices and agencies. The Mayor or any City Councilor may request a supplemental legal opinion by making a written request and having the request, in the form of a communication document, placed on the agenda of the Governing Body per the timelines stated in these rules.

B. The request for supplemental legal opinion shall identify the opinion from which the supplemental opinion is sought and the basis for disagreement with the opinion.

C. The Governing Body may, in its discretion, approve or reject the request for supplemental legal opinion by a majority vote of its members present during a Governing Body meeting.

D. If the Governing Body approves the request for supplemental legal opinion, the lawyer or law firm selected will be by mutual consent of the member seeking the supplemental opinion and the remaining members of the Governing Body. The Governing Body will also approve payment of the costs of the supplemental legal opinion from City funds.

E. The Governing Body will approve no more than one supplemental legal opinion on any given subject. This provision does not prevent the Mayor or any City Councilor from retaining from their private funds an attorney to render additional opinions on any matter whatsoever.

F. Any request for supplemental legal opinion which fails to obtain a majority vote of the members present in the affirmative shall not be reintroduced to the Governing Body for a period of six (6) months.

4.3 Committees

From time-to-time, the Governing Body may deem it necessary to establish temporary, advisory committees to formulate recommendations. The creation of such committees shall be in accordance with City Charter Article 5 and Municipal Code Chapter 33 provisions pertaining to boards/commissions/committees.

Appendix A

Legislation Drafting Request Form

Date: _____ Elected Official Name: _____

1. Resolution or Ordinance: _____
2. Requested Meeting Date for Consideration: _____
3. Subject: _____

   _____
4. Intent: _____

   _____
5. Proposed Effective Date: _____
6. Background Information: _____

   _____

   _____

   _____
7. Funding Source (if applicable): _____

   _____
8. Other: _____

   _____
9. List of Documentation Provided/Attached: _____

   _____

City Manager (or designee) Response

Requested Meeting Date Confirmation: _____

Alternate Meeting Date: _____

Reason(s) for Alternate Meeting Date: _____

_____

Appendix B

Work Session Material Request Form

Date: _____ Elected Official Name: _____

1. Requested Meeting Date: _____
2. Material Requested: _____

   _____

   _____

   _____
3. Intent: _____

   _____
4. Background Information: _____

   _____

   _____

   _____
5. Other: _____

   _____
6. List of Documentation Provided/Attached: _____

   _____

City Manager (or designee) Response

Requested Meeting Date Confirmation: _____

Alternate Meeting Date: _____

Reason(s) for Alternate Meeting Date: _____

_____

CITY OF RIO RANCHO
COVER PAGE

Legislation Item: R152

AGENDA DATE:
November 16, 2023

DEPARTMENT:
Administration

SUBJECT:
R152, Resolution to Require Immediate Removal or Repair of Ruined Building, Structures, Rubbish, Wreakage, Weeds, and Debris, and Abatement of Premises at 2009 Grande Blvd. SE, Rio Rancho, NM 87124

BACKGROUND AND ANALYSIS:
The property located at 2009 Grande Blvd. SE, Rio Rancho, NM 87124 ("Property" or "Premises") and its curtilage have been severely damaged by fire, vandalism, and/or neglect.

The Rio Rancho Fire & Rescue Department has responded to multiple structure fires at the Property. On December 28, 2022 (Call # 22013826) a fire caused the roof to collapse and severely damaged other areas of the primary building on the Premises. A second fire, occurring on March 5, 2023 (Call # 23002502), caused further damage to the roof and overall building structure on the Premises.

The City of Rio Rancho's Police Department, Fire Marshal, Code Enforcement Division, and Building Division have responded to, inspected, and investigated the Property during the time period of December 28, 2022 through November 1, 2023, and have continually found the Property to be so ruined, damaged, and/or dilapidated that the building and surrounding area constituted a menace and/or nuisance to the public comfort, health, peace, welfare, and/or safety, and removal and/or substantial repair was warranted.

The Building Division inspected and investigated the condition and structure of the building on March 8, 2023. The Building Division issued a red tag due to the building being an unsafe structure. Additionally, the Code Enforcement Division has issued multiple notices of violations to the Owners of the Property due to non-compliance with City Ordinances. Specifically, Code Enforcement has found the Property to be unsecured and covered with ruins, rubbish, wreckage, and/or other debris over the course of numerous investigations.

Finally, the Police Department has responded to calls for service forty-seven (47) times to the property from dates ranging from December 2022 through October 2023. Calls for service have consisted of structure fire, area check, suspicious activity, criminal damaged, and public nuisance. A total of eighty-two (82) officers have been dispatched through this time period.

The Property Owner, Chabad of New Mexico Inc., has been contacted many times by different City employees and representatives, but has not acted to address the ongoing safety and health concerns that exist on the property due to the dilapidated and severely damaged structure.

IMPACT:

After 10 days of receipt of this Resolution should the property owner not commence with cleanup/abatement or file a written objection to the Resolution with the City Clerk pursuant to State law, the City of Rio Rancho will begin abatement procedures as soon as possible. If the City expends public funds to abate the nuisance violations, a lien would be placed by the City on the property to recover costs associated with the abatement actions, and the City may seek foreclosure in accordance with lien foreclosure proceedings, if necessary.

The current Fiscal Year 2024 Budget has $50,000 allocated/available to abate declared public nuisances as needed.

ALTERNATIVES:

Approve the Resolution.

Do not approve the Resolution.

DEPARTMENT RECOMMENDATION:

The City Manager's Office, Police Department, Fire & Rescue Department, and the Development Services Department's Code Enforcement Division and Building Division recommend approval of the Resolution.

ATTACHMENT: Resolution
ATTACHMENT: 2009 Grande Blvd Exhibit 1.pdf
ATTACHMENT: 2009 Grande Blvd Exhibit 2.pdf
ATTACHMENT: 2009 Grande Blvd Exhibit 3.pdf
ATTACHMENT: 2009 Grande Blvd Exhibit 4.pdf
ATTACHMENT: 2009 Grande Blvd Exhibit 5.pdf

CITY OF RIO RANCHO
RESOLUTION

RESOLUTION NO. **ENACTMENT NO.**

PURSUANT TO § 3-18-5 NMSA 1978, A RESOLUTION TO REQUIRE IMMEDIATE REMOVAL OF RUINED, DAMAGED, OR DILAPIDATED BUILDINGS OR STRUCTURES, RUBBISH, WRECKAGE, AND DEBRIS, AND ABATEMENT OF MENACE AND/OR NUISANCE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY AT 2009 GRANDE BLVD. SE, RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO 87124, DESCRIBED MORE SPECIFICALLY AS BLOCK 24 OF LOT 1 UNIT 16 OF RIO RANCHO ESTATES IN THE CITY OF RIO RANCHO, SANDOVAL COUNTY, NEW MEXICO;REQUIRING OWNER(S) THEREOF PROMPTLY TO COMMENCE REMOVAL OR REPAIR OF THE RUINED BUILDING, STRUCTURES, RUBBISH, WRECKAGE AND/OR DEBRIS AND ABATEMENT OF THE MENACE/NUISANCE; AUTHORIZING THE CITY TO ABATE THE MENACE/NUISANCE TO PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY; AND PROVIDING THAT THE CITY SHALL RECOVER ITS COSTS INCURRED IN THE MATTER

WHEREAS: it has been brought to the attention of the Governing Body that the premises at 2009 Grande Blvd. SE, Rio Rancho New Mexico, 87124 (the "Property" or "Premises") has been damaged severely by fire, vandalism and/or neglect; and

WHEREAS: the Rio Rancho Fire & Rescue Department has responded to structure fires at the Property: December 28, 2022 (Call # 22013826) where a fire caused the roof to collapse and severely damaged other areas of the primary building on the Premises, and a fire occurring on March 5, 2023 (Call # 23002502) causing further damage to the roof and overall building structure on the Premises (see Exhibit 1); and

WHEREAS: the City of Rio Rancho Code Enforcement Division has issued multiple notices of violations (Case # 23-1470, 23-1471, 23-1472, and 23-2653) to the Owners of the Property due to non-compliance with City Ordinances; specifically, the Code Enforcement Division has found the Property to be unsecured and covered with ruins, rubbish, wreckage, and/or other debris (see Exhibit 2, 3, and 4); and

WHEREAS: the City of Rio Rancho Building Division inspected and investigated the condition and structure of the building on March 8, 2023, issued a red tag due to the building being an unsafe structure (see Exhibit 5), and has assessed that the multi-story section of the building needs demo and/or alterations made to restore the building to safe condition and other sections of the building will need to be evaluated by an engineer to determine any alterations needed; and

WHEREAS: the City of Rio Rancho's Police Department has responded to calls for service forty-seven (47) times (and dispatched eighty-two (82) officers) to

the property from dates ranging from December 2022 through October 2023, and these calls for service have consisted of structure fire, area check, suspicious activity, criminal damaged, and public nuisance; and

WHEREAS: the City of Rio Rancho's Police Department, Fire Marshal, Code Enforcement Division, and Building Division have responded to, inspected, and investigated the Property during the time period of December 28, 2022 through November 1, 2023, and have continually found the Property to be so ruined, damaged, and/or dilapidated that the building and surrounding area constituted a menace and/or nuisance to the public comfort, health, peace, welfare, and/or safety, and removal and/or substantial repair was warranted; and

WHEREAS: the Governing Body finds that repair or abatement to the Premises has not occurred since December 28, 2022; the property has been without some utility services since December 9, 2006; the Premises and the remaining structure remain open and accessible to weather elements and potential trespassers; and the Property presents a multitude of dangers to the inhabitants of all surrounding properties, first responders, and the general public; and

WHEREAS: the Governing Body finds that the Premises is an imminent, ongoing, and serious menace to the public's comfort, health, peace, welfare, and/or safety which constitutes an ongoing public nuisance; and

WHEREAS: the Governing Body finds that immediate abatement of the hazardous conditions of the Premises by removal of the unsafe building, other structures, rubbish, wreckage, and debris is required for the protection of the pubic comfort, health, peace, welfare, and/or safety.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO:

SECTION 1.

A. That the findings of the City of Rio Rancho Police Department, Fire Marshal, Code Enforcement Division, and Building Division, in regard to the Premises, structure(s), and/or curtilage, are hereby approved and adopted, and that all structure(s) and/or curtilage is found to be ruined, damaged, and dilapidated, as to be a menace to the public comfort, health, peace, welfare, and/or safety pursuant to §3-18-5 NMSA 1978.

B. That the findings of the City of Rio Rancho Police Department, Fire Marshal, Code Enforcement Division, and Building Division, in regard to the Premises, structure(s), and/or curtilage, are hereby approved and adopted, and that all structure(s) and/or curtilage is found to be ruined, damaged, and dilapidated, as to be a public nuisance injurious to the public health, safety, and welfare as proscribed by §30-8-1 NMSA 1978 and as referenced in §3-18-5 NMSA 1978.

SECTION 2. That Chabad of New Mexico Inc., the owner of the Premises, and/or agent

in charge of the Premises (collectively, the "Owner") is hereby ordered to immediately commence and promptly bring to completion the removal of the unsafe building(s), other structures, rubbish, wreckage, and debris on the Premises; to bring the Premises into such a condition that it no longer constitutes a menace to the public comfort, health, peace, or safety; and all to the full and complete satisfaction of the City, as determined by the City Manager.

SECTION 3. Within ten (10) days following receipt of a copy of this Resolution or of the posting and publishing of a copy of the Resolution, the Owner shall commence removing the building, structure(s), ruin, rubbish, wreckage, or debris, or file a written objection with the City Clerk, as described below. Once begun, abatement and/or removal shall be conducted vigorously and continuously until the unsatisfactory conditions have been fully resolved as provided herein.

SECTION 4. If the Owner, occupant, or agent in charge of the Premises objects to this Resolution or any provision hereof, such person(s) may, within ten (10) days following receipt of a copy of this Resolution or the posting and publishing of a copy of this Resolution, file written objections in the office of the City Clerk. The City will provide for a hearing before the Governing Body to consider the Resolution and the objections pursuant to § 3-18-5(D) NMSA 1978. Further, pursuant to §3-18-5(E) NMSA 1978, and following any such hearing before the Governing Body, if the Owner is aggrieved by the determination of the Governing Body, the Owner may appeal the determination to the District Court.

SECTION 5. If the Owner fails to commence abatement of the unsatisfactory conditions on the Premises:

A. Within ten (10) days of service of this Resolution or of the posting and publishing of this Resolution; or

B. Within five (5) days of the determination by the Governing Body that the Resolution shall be enforced; or

C. After the District Court enters judgment sustaining the determination of the Governing Body following an appeal to the District Court filed pursuant to § 3-18-5(E) NMSA 1978,

the City may remove the building(s), structure(s), ruins, rubbish, wreckage, and/or debris on the Premises at the cost and expense of the Owner. The reasonable cost of such removal shall constitute a lien against the Premises, as provided by law.

SECTION 6. The Owner shall be required to reimburse the City for its costs incurred in this matter, and such costs shall remain a lien on the Premises until paid, as provided by law.

SECTION 7. The City may pay for the removal of such building(s), structure(s), wreckage, rubbish, and/or debris by granting to the person removing the same legal title to all salvageable materials removed from the Premises in lieu of all other compensation.

SECTION 8. Any person or firm removing any condemned building, structure, wreckage, rubbish, or debris shall leave the Premises from which the material has been removed in a clean, level, and safe condition, suitable for further occupancy or construction, and with all excavations filled.

SECTION 9. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of the Resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution. The Governing Body hereby declares that it would have passed this Resolution and each sentence, paragraph, sentence, clause word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

ADOPTED THIS _____DAY OF _____, 2023.

_____
Greggory D. Hull, Mayor

ATTEST:

_____
Rebecca A. Martinez, City Clerk
(SEAL)

May 17, 2023

TRANSMITTED VIA EMAIL (chaim@swcp.com)
AND CERTIFIED MAIL

Chabad of New Mexico, Inc. a New Mexico non-profit
c/o Chaim Schumukler, its Registered Agent
PO BOX 30851,
Albuquerque, NM 87190

Chabad of New Mexico, Inc. a New Mexico non-profit
c/o Chaim Schumukler, its Registered Agent
4000 San Pedro NE,
Albuquerque, NM 87110

Chabad of New Mexico, Inc. a New Mexico non-profit
c/o Chaim Schumukler, its Registered Agent
4209 Penelope Pl. NE,
Albuquerque, NM 87109

Re: Status of the Structure located at 2009 Grande Blvd. SE, Rio Rancho NM, 87124

Mr. Schumukler and Directors ofChabad of New Mexico:

The purpose of this letter is to outline the concerns of Rio Rancho Fire Rescue regarding the former Jewish Community Center located at 2009 Grande Blvd SE, Rio Rancho, NM 87124. These concerns have resulted from the past two structure fires that Rio Rancho Fire Rescue has responded to at this address, both of which were within the past year, and present possible life endangering and safety threats to our citizens and our emergency response personnel.

The 2021 International Fire Code, that has been adopted by the City, has included within Section 311, *"Vacant Premises,* " several provisions regarding vacant/abandoned properties. A vacant premise that is abandoned is a structure that meets the following criteria:

" 311.1.1Abandoned Premises

Buildings, structures, and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be

Exhibit 1

considered to be abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the international property maintenance code and the international building code. "

The former Jewish Community Center meets the criteria for an abandoned property due to it being unoccupied for approximately 1.5 years prior to the recent structure fires. During this time frame, the structure at the site has shown signs of transient activity, including but not limited to, the destruction of the interior and exterior of the structure, signs of forced entry at several points of the structure, and after the most recent fire there are severe signs of structural instability. During the last fire, fire crews used approximately 45,000 gallons of water for extinguishment. This amount of water added significant weight to the structure, which could exceed the weight the structure was initially intended to hold. Also, the structure now has a partial collapse of the second floor above the southeast comer.

Due to these circumstances, our fire crews will now initially operate from a defensive standpoint regarding this structure. Extinguishment of any fires will now be conducted from the exterior. Interior operations will only be considered if there are indications that the structure is currently inhabited or in the event of an imminent rescue.

Additionally, it was brought to our attention after the last structure fire that the building was potentially constructed using asbestos. Asbestos can become a hazardous air pollutant that can remain airborne for days after being disturbed. This is concerning due to the possibility of a building collapse related to the structural issues identified above. If this structure were to collapse, and the asbestos became airborne, it could expose the surrounding homeowners, citizens who utilize the nearby community park, and first responders who arrive on scene to hazardous conditions. Any demolition of the structure should be done in accordance with proper practices related to asbestos.

The fire code violations identified in this letter must be corrected promptly to protect our fire personnel and the citizens that live close to the structure. Please do not hesitate to contact me if you have any questions about violations. If you have any questions, please do not hesitate to contact us.

Sincerely,

Rio Rancho Fire and Rescue,
a department of the City of Rio Rancho

By: _____
James DeFillippo, Fire Chief

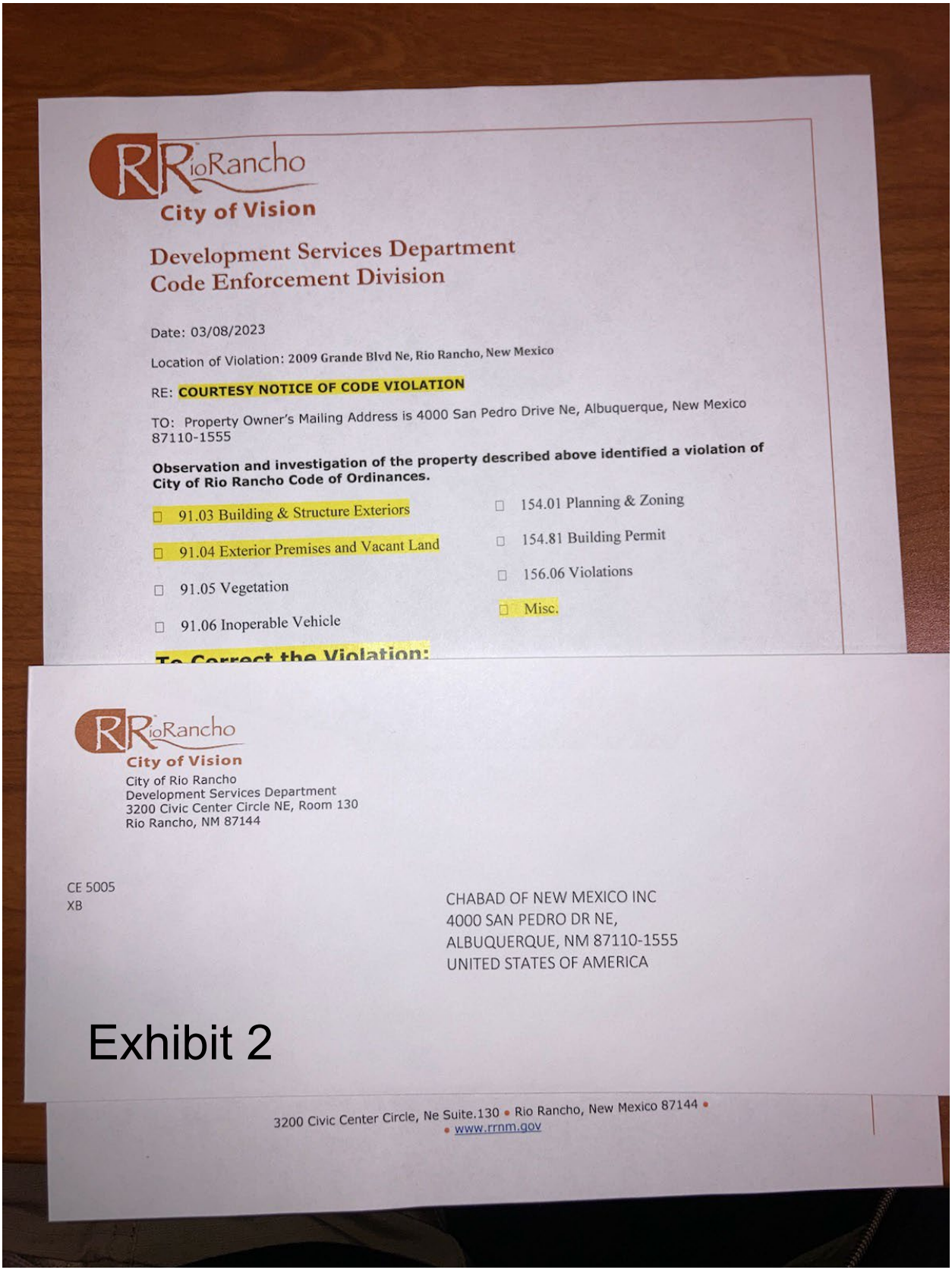
cc: Mr. Matthew Geisel
Mr. David Branch

James DeFillippo
Fire Chief

Rio Rancho Fire Rescue

O: 505.891.5281

RRNM.gov |



RioRancho
City of Vision

Development Services Department
Code Enforcement Division

Date: 03/08/2023

Location of Violation: 2009 Grande Blvd Ne, Rio Rancho, New Mexico

RE: COURTESY NOTICE OF CODE VIOLATION

TO: Property Owner's Mailing Address is 4000 San Pedro Drive Ne, Albuquerque, New Mexico 87110-1555

Observation and investigation of the property described above identified a violation of City of Rio Rancho Code of Ordinances.

- ☐ 91.03 Building & Structure Exteriors
- ☐ 91.04 Exterior Premises and Vacant Land
- ☐ 91.05 Vegetation
- ☐ 91.06 Inoperable Vehicle
- ☐ 154.01 Planning & Zoning
- ☐ 154.81 Building Permit
- ☐ 156.06 Violations
- ☐ Misc.

To Correct the Violation:

RioRancho
City of Vision

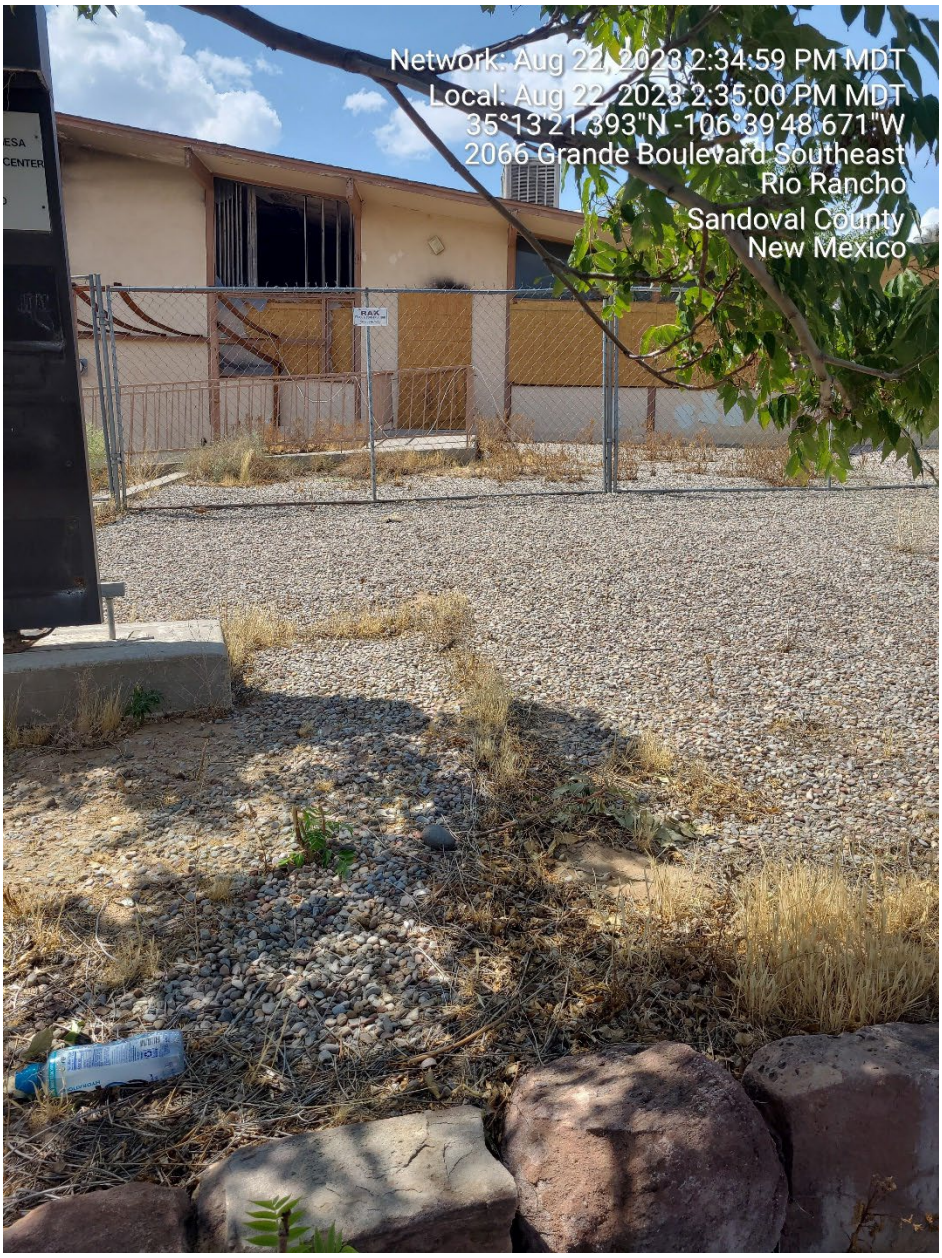
City of Rio Rancho
Development Services Department
3200 Civic Center Circle NE, Room 130
Rio Rancho, NM 87144

CE 5005
XB

CHABAD OF NEW MEXICO INC
4000 SAN PEDRO DR NE,
ALBUQUERQUE, NM 87110-1555
UNITED STATES OF AMERICA

Exhibit 2

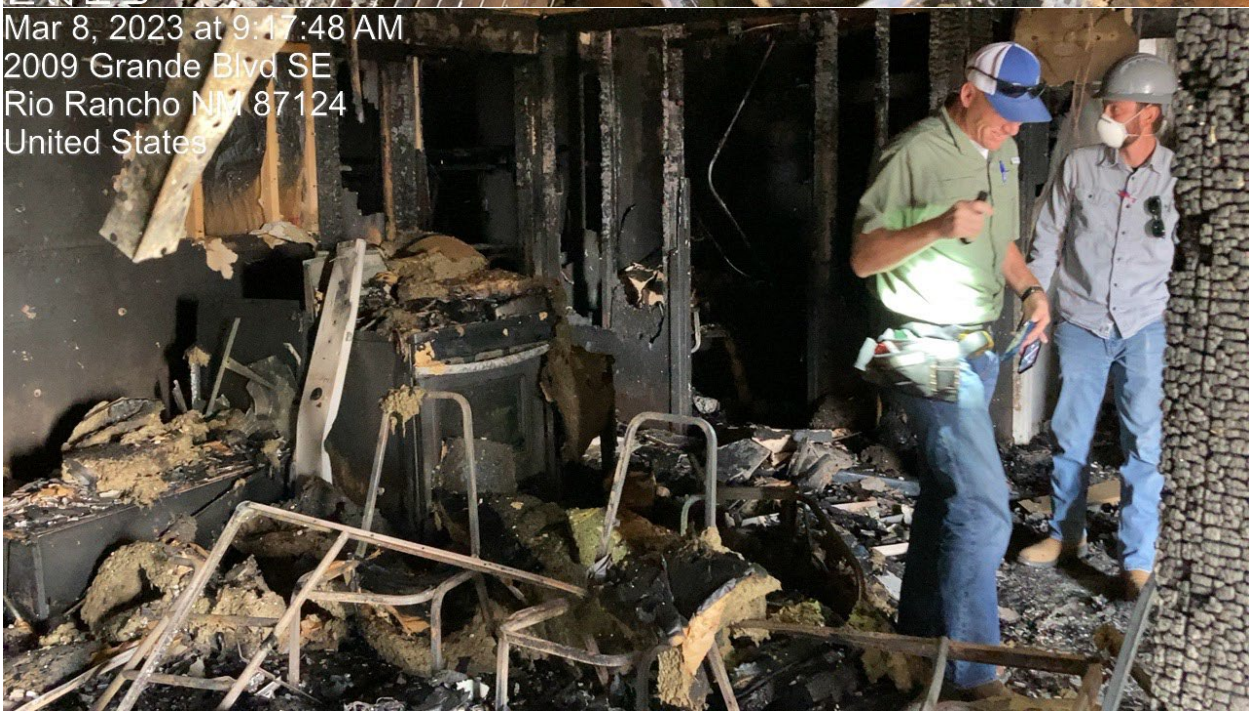
3200 Civic Center Circle, Ne Suite.130 • Rio Rancho, New Mexico 87144 •
• www.rrnm.gov

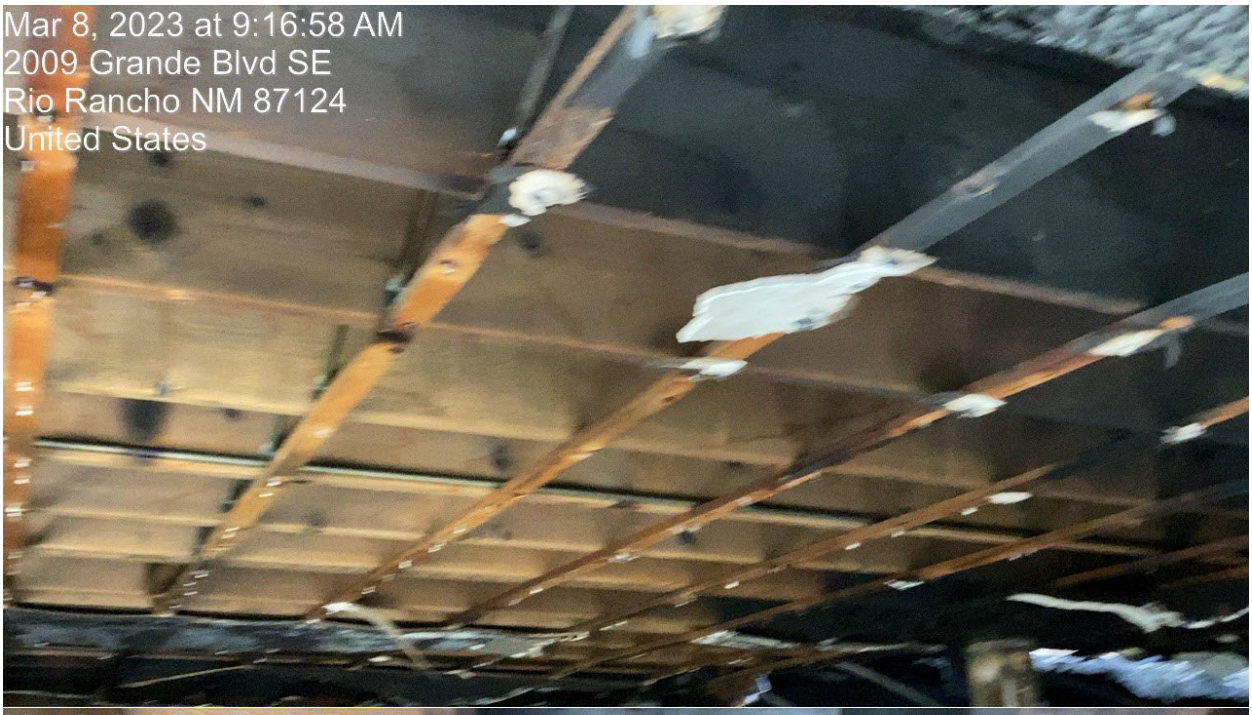

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Local: Aug 22, 2023 2:35:00 PM MDT
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2066 Grande Boulevard Southeast
Rio Rancho
Sandoval County
New Mexico


LITTLE HOUSE ON THE MESA
PRESCHOOL-DAYCARE CENTER
BLDG. B.-REAR
PHONE 892-8700
2009 GRANDE
PURPLE
PICKLE PIE

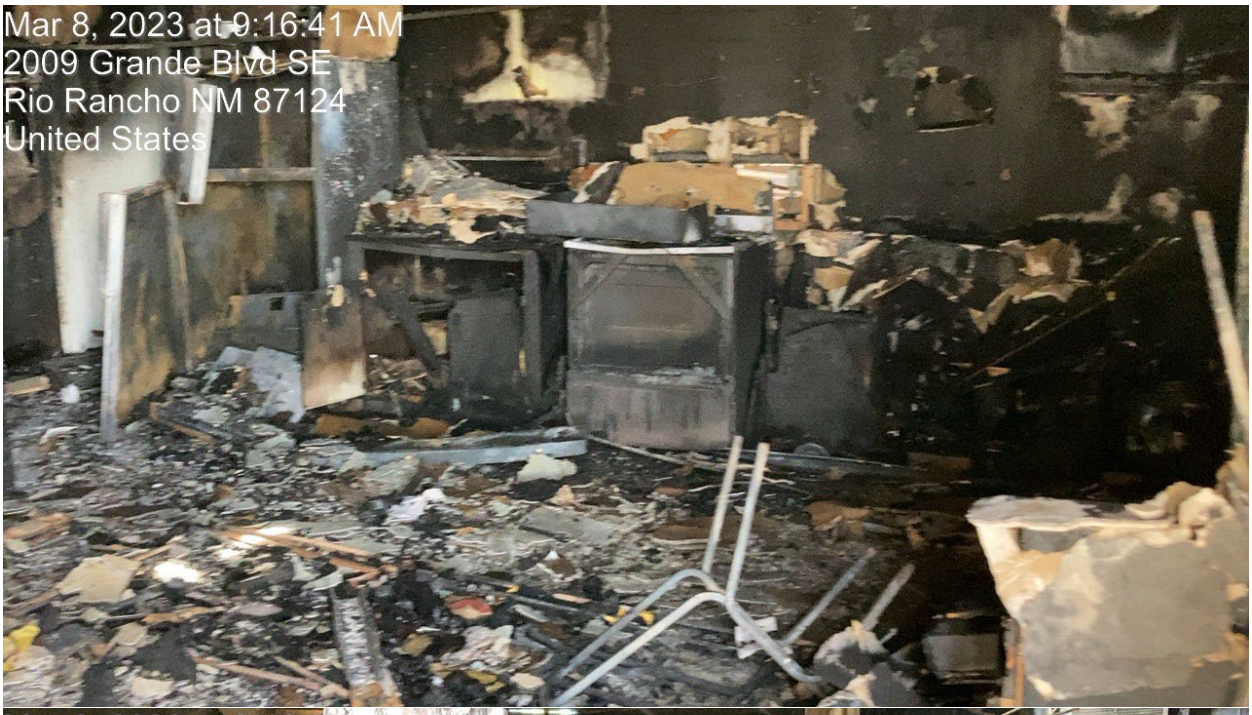

Mar 8, 2023 at 9:21:28 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States
HERB LAMB
BUILDING
LITTLE HOUSE ON THE MESA
PRESCHOOL-DAYCARE CENTER
BLDG. B.-REAR
PHONE 892-8700
2009 GRANDE
PURPLE
PICKLE PIE
BOOKSTORE


Mar 8, 2023 at 9:17:58 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States


Mar 8, 2023 at 9:17:48 AM
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United States


Mar 8, 2023 at 9:16:58 AM
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Rio Rancho NM 87124
United States

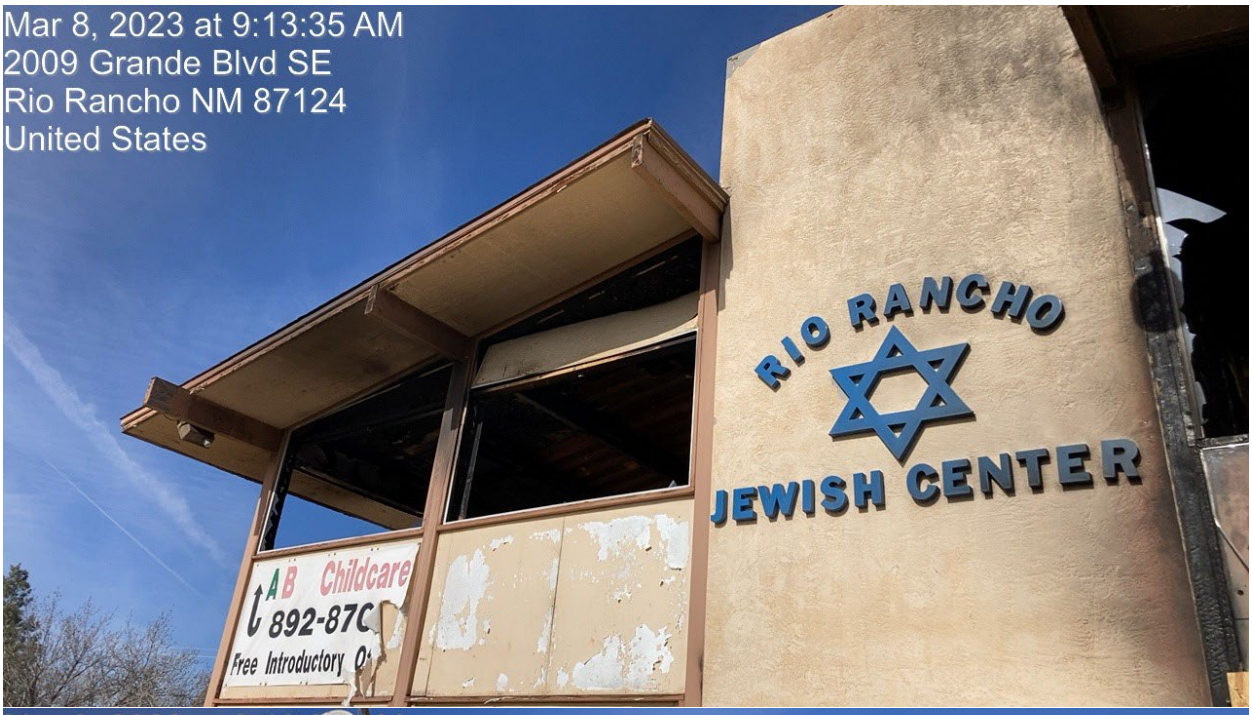

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United States


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2009 Grande Blvd SE
Rio Rancho NM 87124
United States


Mar 8, 2023 at 9:14:44 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States
PURPLE
PICKLE PIE
BOOKSTORE


Mar 8, 2023 at 9:14:40 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States
No Soliciting


Mar 8, 2023 at 9:13:35 AM
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United States
RIO RANCHO
JEWISH CENTER
AB Childcare
892-87C
Free Introductory

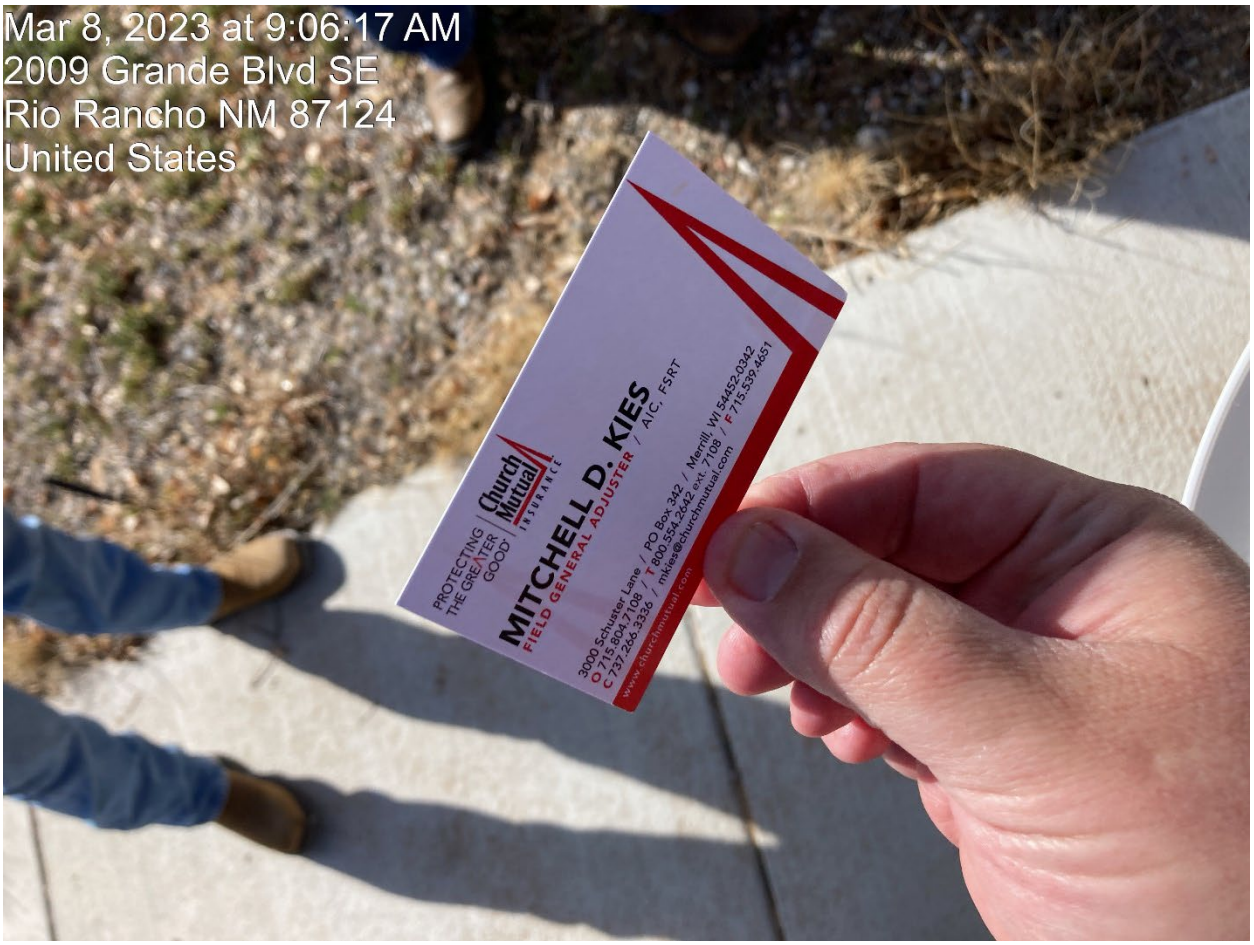

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Rio Rancho NM 87124
United States
O RANCHO
SH CENTER


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Rio Rancho NM 87124
United States


Mar 8, 2023 at 9:09:36 AM
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United States


Mar 8, 2023 at 9:09:21 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States


Mar 8, 2023 at 9:06:17 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States
PROTECTING THE GREATER GOOD
Church Mutual INSURANCE
MITCHELL D. KIES
FIELD GENERAL ADJUSTER / AIC, FSRT
3000 Schuster Lane / PO Box 342 / Merrill, WI 54452-0342
O 715.804.7108 / T 800.554.2642 ext. 7108 / F 715.539.4651
C 737.266.3336 / mkies@churchmutual.com
www.churchmutual.com


Mar 8, 2023 at 9:05:50 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States


Mar 8, 2023 at 9:05:48 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States


Mar 8, 2023 at 9:05:42 AM
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United States


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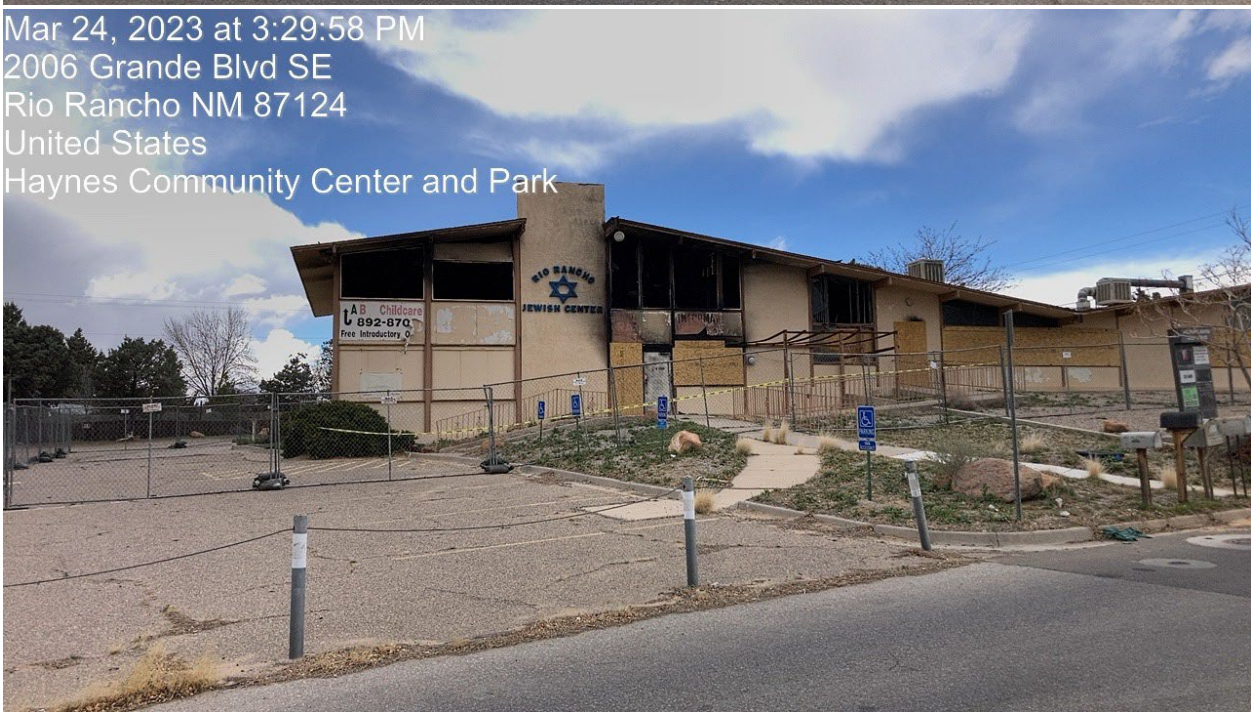

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United States
AB Childcare
892-870
Free Introductory Of

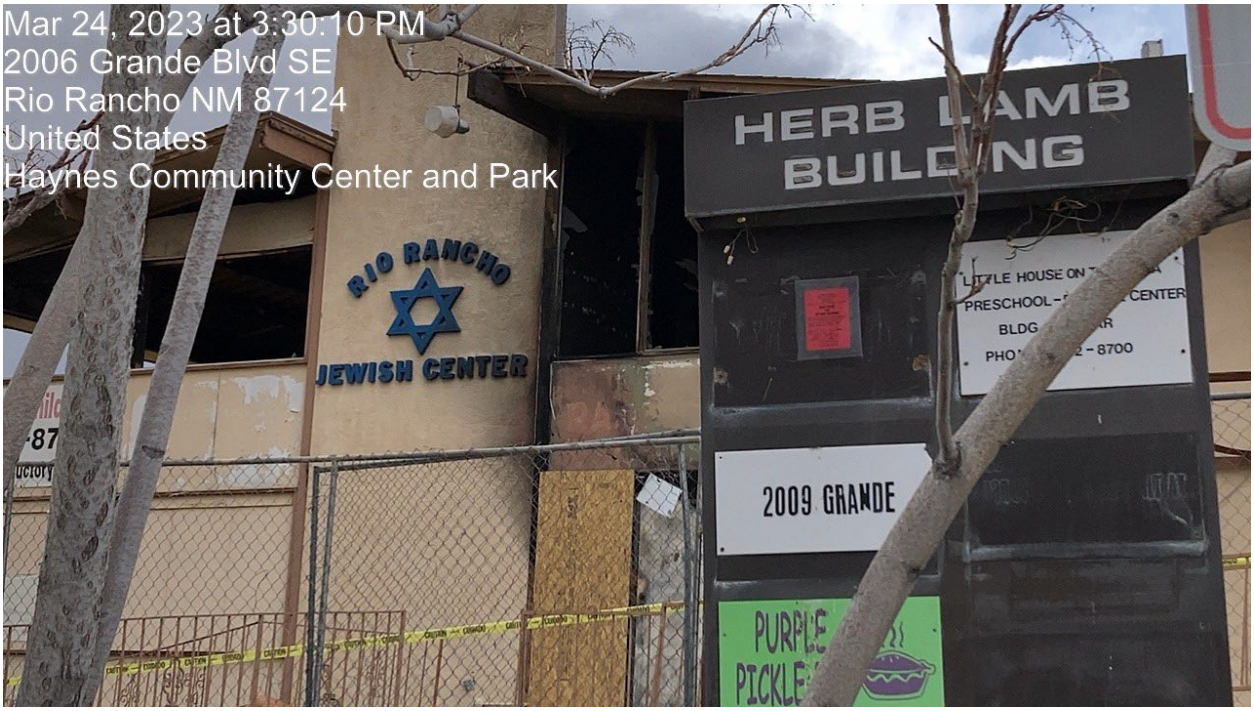

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RIO RANCHO
JEWISH CENTER
AB Childcare
892-87C
Free Introductory

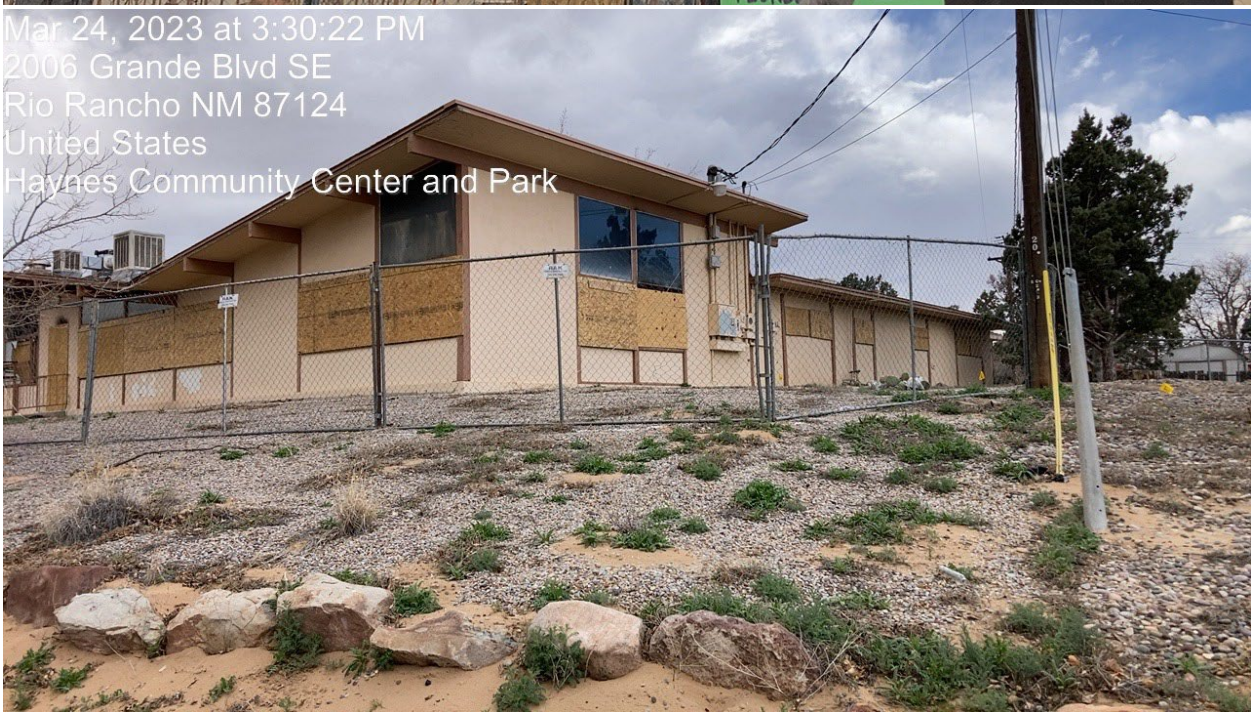

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Mar 8, 2023 at 9:02:24 AM
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United States


Mar 24, 2023 at 3:29:54 PM
2006 Grande Blvd SE
Rio Rancho NM 87124
United States
Haynes Community Center and Park


Mar 24, 2023 at 3:29:58 PM
2006 Grande Blvd SE
Rio Rancho NM 87124
United States
Haynes Community Center and Park
RIO RANCHO
JEWISH CENTER
AB Childcare
892-870
Free Introductory O


Mar 24, 2023 at 3:30:10 PM
2006 Grande Blvd SE
Rio Rancho NM 87124
United States
Haynes Community Center and Park
HERB LAMB
BUILDING
RIO RANCHO
JEWISH CENTER
2009 GRANDE


Mar 24, 2023 at 3:30:22 PM
2006 Grande Blvd SE
Rio Rancho NM 87124
United States
Haynes Community Center and Park


Mar 24, 2023 at 3:30:24 PM
2006 Grande Blvd SE
Rio Rancho NM 87124
United States
Haynes Community Center and Park


RIO RANCHO
JEWISH CENTER


RAK
FENCE & CONSTRUCTION
505-320-7525




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Rio Rancho NM 87124
United States


Jun 2, 2023 at 2:38:34 PM
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Jun 2, 2023 at 2:38:36 PM
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United States
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United States


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Jun 5, 2023 at 11:59:10 AM
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United States


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United States
Haynes Community Center and Park


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Rio Rancho NM 87124
United States


Jun 5, 2023 at 11:59:00 AM
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Rio Rancho NM 87124
United States
ReadWest, Inc


Jun 8, 2023 at 9:44:40 AM
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Rio Rancho NM 87124
United States
POSTED
KEEP OUT


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Rio Rancho NM 87124
United States


Jun 8, 2023 at 9:45:37 AM
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Rio Rancho NM 87124
United States
RAK


Jun 8, 2023 at 9:45:48 AM
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Jun 22, 2023 at 11:28:19 AM
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United States
Haynes Community Center and Park

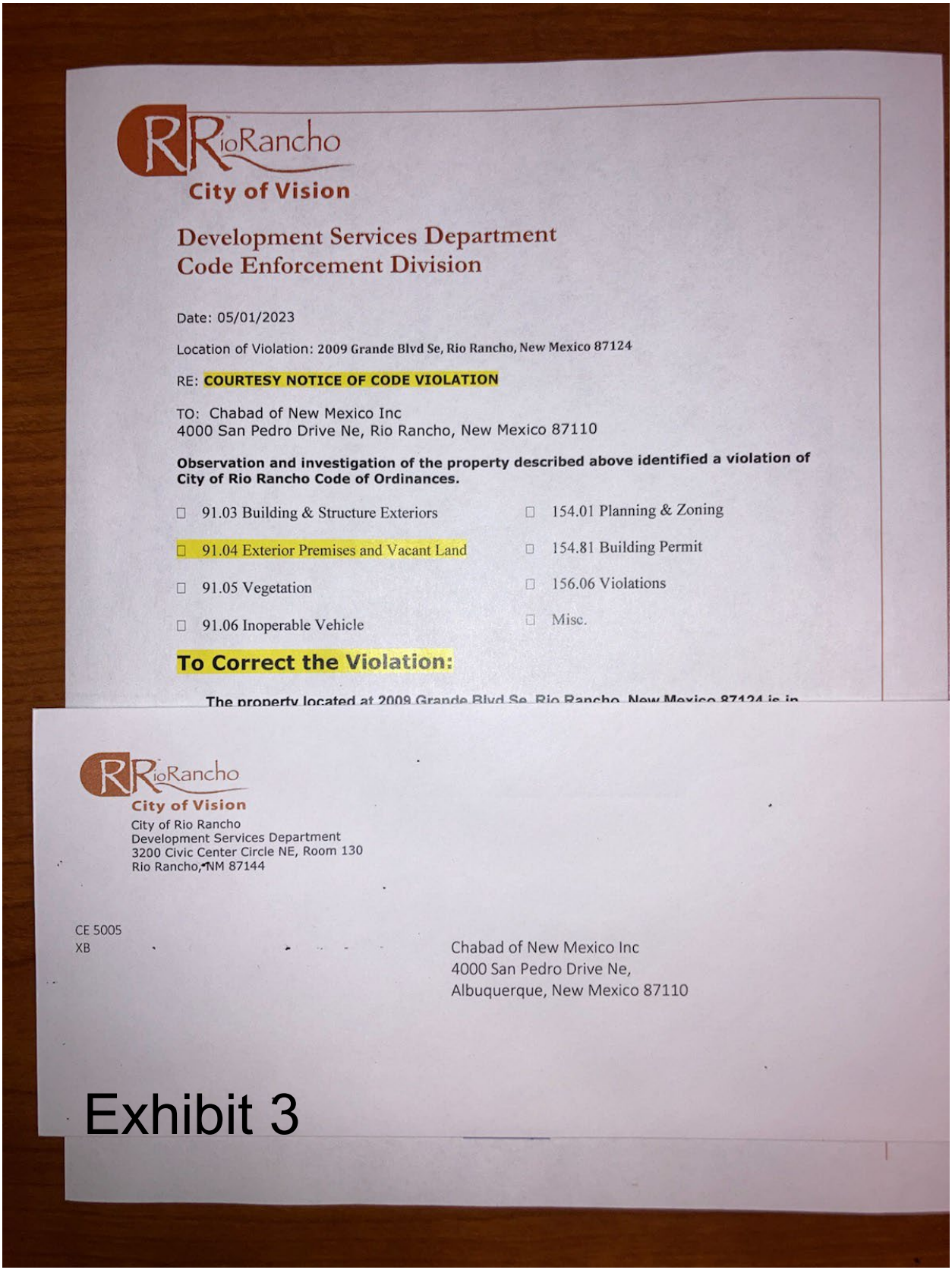

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United States
Haynes Community Center and Park


Jun 22, 2023 at 11:28:08 AM
Rio Rancho NM 87124
United States
Haynes Community Center and Park
CAUTION


Jul 24, 2023 at 7:57:29 AM
Rio Rancho NM 87124
United States
Haynes Community Center and Park
CAUTION


Jul 24, 2023 at 7:57:39 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States
AB Childcare
892-870
Free Introductory
RIO RANCHO
JEWISH CENTER


Jul 24, 2023 at 7:57:51 AM
2006 Grande Blvd SE
Rio Rancho NM 87124
United States
Haynes Community Center and Park
NO
PARKING
ANY
TIME



RioRancho
City of Vision

Development Services Department
Code Enforcement Division

Date: 05/01/2023

Location of Violation: **2009 Grande Blvd Se, Rio Rancho, New Mexico 87124**

RE: **COURTESY NOTICE OF CODE VIOLATION**

TO: Chabad of New Mexico Inc
4000 San Pedro Drive Ne, Rio Rancho, New Mexico 87110

Observation and investigation of the property described above identified a violation of City of Rio Rancho Code of Ordinances.

- ☐ 91.03 Building & Structure Exteriors
- ☐ 91.04 Exterior Premises and Vacant Land
- ☐ 91.05 Vegetation
- ☐ 91.06 Inoperable Vehicle
- ☐ 154.01 Planning & Zoning
- ☐ 154.81 Building Permit
- ☐ 156.06 Violations
- ☐ Misc.

To Correct the Violation:

The property located at 2009 Grande Blvd Se, Rio Rancho, New Mexico 87124 is in

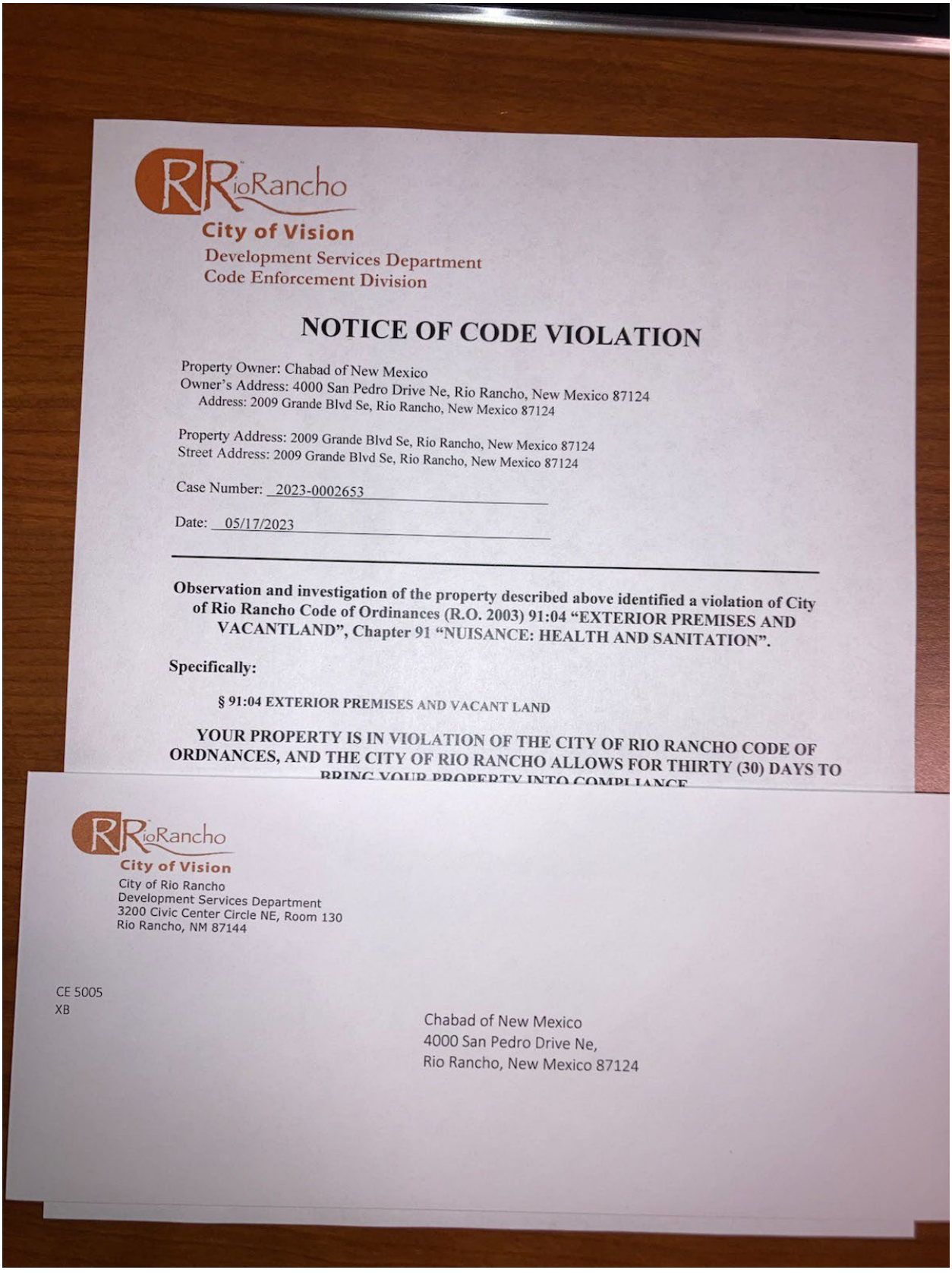
RioRancho
City of Vision

City of Rio Rancho
Development Services Department
3200 Civic Center Circle NE, Room 130
Rio Rancho, NM 87144

CE 5005
XB

Chabad of New Mexico Inc
4000 San Pedro Drive Ne,
Albuquerque, New Mexico 87110

Exhibit 3



RioRancho
City of Vision
Development Services Department
Code Enforcement Division

NOTICE OF CODE VIOLATION

Property Owner: Chabad of New Mexico
Owner's Address: 4000 San Pedro Drive Ne, Rio Rancho, New Mexico 87124
Address: 2009 Grande Blvd Se, Rio Rancho, New Mexico 87124

Property Address: 2009 Grande Blvd Se, Rio Rancho, New Mexico 87124
Street Address: 2009 Grande Blvd Se, Rio Rancho, New Mexico 87124

Case Number: 2023-0002653

Date: 05/17/2023

Observation and investigation of the property described above identified a violation of City of Rio Rancho Code of Ordinances (R.O. 2003) 91:04 "EXTERIOR PREMISES AND VACANTLAND", Chapter 91 "NUISANCE: HEALTH AND SANITATION".

Specifically:

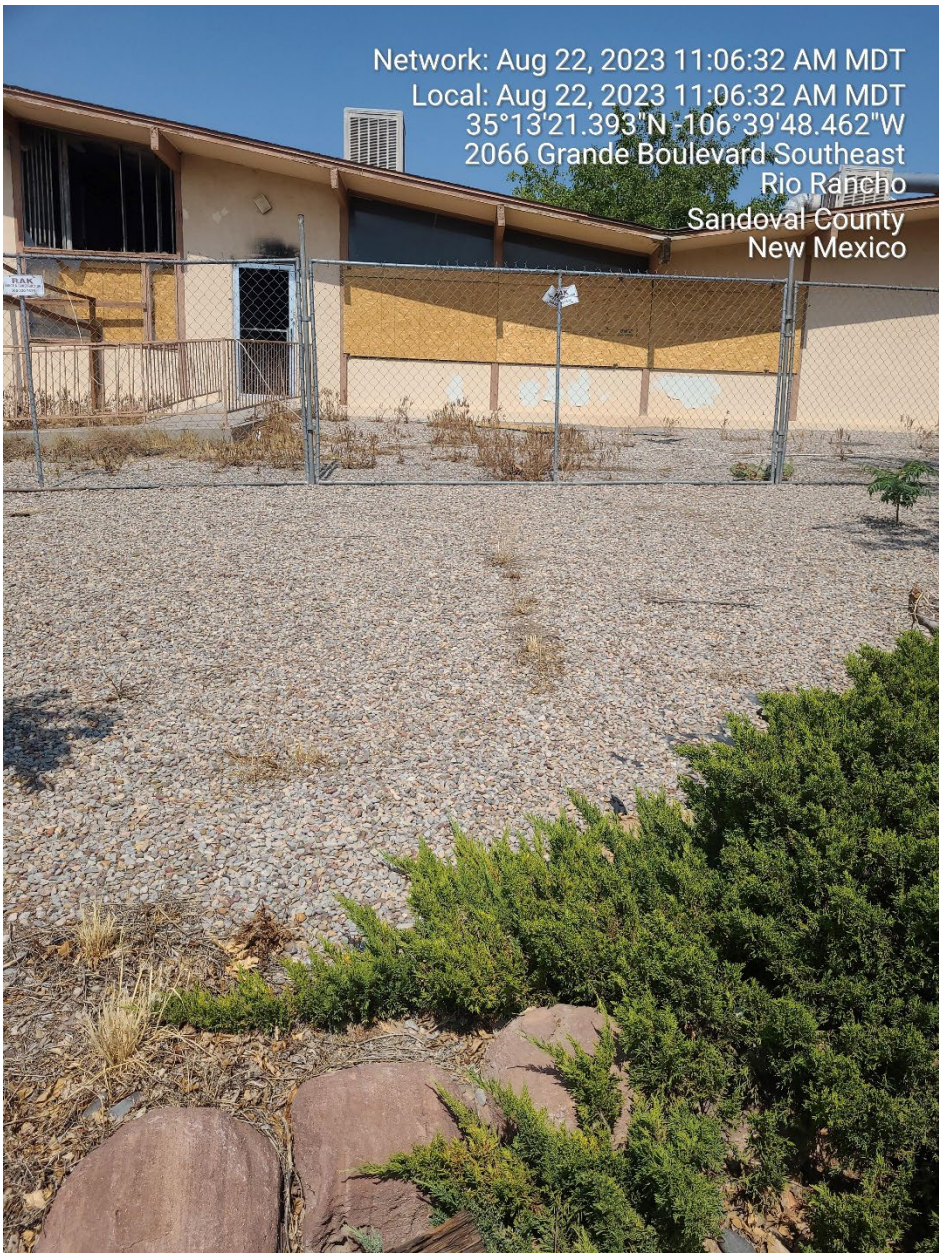
§ 91:04 EXTERIOR PREMISES AND VACANT LAND

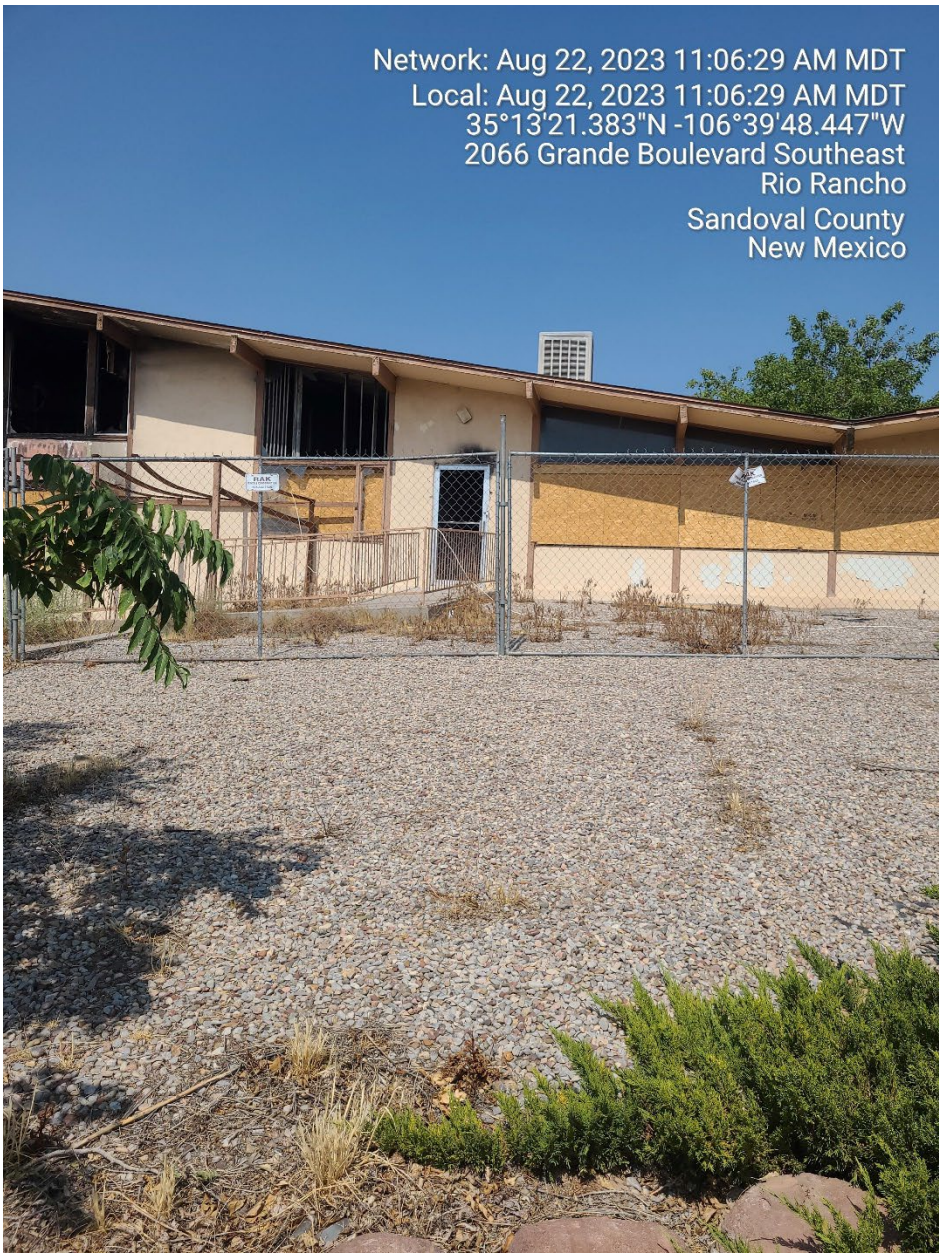
YOUR PROPERTY IS IN VIOLATION OF THE CITY OF RIO RANCHO CODE OF ORDNANCES, AND THE CITY OF RIO RANCHO ALLOWS FOR THIRTY (30) DAYS TO BRING YOUR PROPERTY INTO COMPLIANCE

RioRancho
City of Vision
City of Rio Rancho
Development Services Department
3200 Civic Center Circle NE, Room 130
Rio Rancho, NM 87144

CE 5005
XB

Chabad of New Mexico
4000 San Pedro Drive Ne,
Rio Rancho, New Mexico 87124


Network: Aug 22, 2023 11:06:32 AM MDT
Local: Aug 22, 2023 11:06:32 AM MDT
35°13'21.393"N -106°39'48.462"W
2066 Grande Boulevard Southeast
Rio Rancho
Sandoval County
New Mexico


Network: Aug 22, 2023 11:06:29 AM MDT
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35°13'21.383"N -106°39'48.447"W
2066 Grande Boulevard Southeast
Rio Rancho
Sandoval County
New Mexico


May 17, 2023 at 9:33:22 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States


May 17, 2023 at 9:33:19 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States


May 17, 2023 at 9:33:26 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States

Exhibit 4

Rio Rancho
City of Vision

NOTICE OF ORDINANCE VIOLATION

October 31, 2023

Chabad of New Mexico
4000 SAN PEDRO DR NE
ALBUQUERQUE, NM 87110-1555

REGARDING Property Legally Described as:

Rio Rancho Estates Unit 16, Block 24, Lot 1

Addressed as: 2009 Grande Blvd SE
Rio Rancho, NM 87124

VIOLATION (S): **Rio Rancho Municipal Code Sections 91.03 , and 91.04 , and 91.21, and 93.03, and 93.07, and 151.01, 151.04, and 2015 International Building Codes (IBC)**

The undersigned, under penalty of perjury, complains and says that the property located at 2009 Grande Blvd Se Rio Rancho NM is in violation of the City Ordinance listed below:

City Ordinance 91.03 Building And Structures Exteriors
City Ordinance 91.04 Exterior Premises and Vacant Land
City Ordinance 91.21 Nuisances Declared

On or about December 28, 2022 a structure fire occurred at the Rio Rancho Jewish Center located at 2009 Grande Blvd SE, Rio Rancho, NM 87124. The fire had two areas of origin. The first and most damaged area was in what appeared to be the "worship" area. A partially collapsed ceiling and heavy fire damage was noted to this area. The second area of origin noted was in the western portion of the facility. In this area investigators located what appeared to be an incendiary device, as well as two canisters of kerosene.

The property meets the criteria for an abandoned property due to being unoccupied for approximately 1.5 years before the recent structure fires. During this time frame, the structure has shown signs of transient activity, including but not limited to destruction noted to the interior and exterior of the structure, signs of forced entry at several points of the structure, and after the most recent fire, signs of structural instability. The property was found to be unsecured for approximately 4 months after the first structure fire. The property was initially secured in March of 2023 via fencing and security patrols. There were two documented instances where the structure showed signs of forced entry after March of 2023, once in June of 2023 and once in August of 2023.

City Ordinance 91.03(B) All structures on premises shall be safe, structurally sound and shall be maintained so that they do not constitute a hazard, blight or condition of disrepair. The fire damage has made the structure structurally unsound and the boarded up appearance of the structure is a visual blight.

City Ordinance 91.04(A) *General land.* All land, including exterior premises and vacant land, whether improved or unimproved, shall be maintained free from any accumulation of debris or blight, which includes, but is not limited to, graffiti on walls, fences or mail boxes, accumulation of litter, rubbish, refuse, waste material, bottles, paper, glass, cans, organic or inorganic material, inoperable or disabled vehicles, piles of mixed material, dry vegetation, rags, empty barrels, boxes, crates, packing cases, mattresses, bedding, lumber not neatly piled, lumber stored in front yards, scrap iron, tin and other metal not neatly piled, or anything whatsoever in which insects, rodents, snakes or other harmful pests may live, breed or multiply or which may otherwise create a health hazard.

City Ordinance 91.21(C) *Hazardous premises.* It shall be unlawful for any person to permit in or about his premises weeds, briars, brush or any other solid waste to become in any way hazardous or injurious to public health or to obstruct pedestrian and vehicular traffic. Asbestos has been identified as a building material used in construction of the structure. The open roof and broken upper windows present, a hazard to the community by allowing, an escape avenue for airborne asbestos particulates

City Ordinance 93.03 Adoption of The Fire Code
City Ordinance 93.07 Penalty
2021 International Fire Code Section 311 Vacant Premises
City Ordinance 151.01 Adoption

The former Jewish Community Center meets the criteria for an abandoned property due to being unoccupied for approximately 1.5 years before the recent structure fires. During this time frame, the structure has shown signs of transient activity, including but not limited to destruction noted to the interior and exterior of the structure, signs of forced entry at several points of the structure, and after the most recent fire, signs of structural instability. The property was found to be unsecured for approximately 4 months after the first structure fire. The property was initially secured in March of 2023 via fencing and security patrols. There were two documented instances where the structure showed signs of forced entry after March of 2023, once in June of 2023 and once in August of 2023. Photos of these instances can be provided upon request. During the most recent fire, fire crews used approximately 45,000 gallons of water for extinguishment. This amount of water added significant weight to the structure, which could exceed the weight the structure initially intended to hold. Regarding structural instability, the structure now has a partial collapse of the second floor above the SE corner. Due to these circumstances, our fire crews will now initially operate from a defensive standpoint regarding this structure. Extinguishment of any fires on this property will now be conducted from the exterior. Interior operations will only be considered if there are indications that the structure is currently inhabited or in the event of an imminent rescue. The fire code violations must be corrected promptly to protect our fire personnel and the citizens that live close to the structure.

It was brought to our attention after the last structure fire that the building was potentially constructed using asbestos. As you know, asbestos can become a hazardous air pollutant that can remain airborne for days after being disturbed. This is concerning due to the possibility of this building collapsing. If this building were to collapse and the asbestos became airborne, it could expose the surrounding homeowners and citizens who utilize the nearby community park. To mitigate any exposure, it is crucial that the building be demolished with practices that take asbestos into account

For the purpose of regulation of fire hazards and control of fires and fire prevention, the minimum Fire Codes for the State of New Mexico, as identified in 10.25.1 through 10.25.12 NMAC, including any and all future amendments, replacement sections and additional provisions thereof, are adopted. The minimum Fire Codes for the State of New Mexico shall be controlling within the city to the same extent as if such provisions were set out in full in this chapter.

City Ordinance 93.07 Any person violating the provisions of this chapter or the Fire Code shall be subject to the penalties prescribed in Section 10.99.

2021 International Fire Code 311.1.1 Abandoned Premises
Buildings, structures, and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered to be abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the international property maintenance code and the international building code."

2021 International Fire Code 311.2 Safeguarding Vacant Premises.

Temporarily unoccupied buildings, structures, premises, or portions thereof shall be secured and protected in accordance with Sections **311.2.1** through **311.2.3.**

2021 International Fire Code 311.2.1 Security.

Exterior and interior openings accessible to other tenants or unauthorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals. The fire code official is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.

2021 International Fire Code 311.5 Placards.

Any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards shall be marked as required by Sections 311.5.1 through 311.5.5.

2021 International Fire Code 311.5.1 Placard Location.

Placards shall be applied on the front of the structure and be visible from the street. Additional placards shall be applied to the side of each entrance to the structure and on penthouses.

2021 International Fire Code 311.5.2 Placard Size and Color.

Placards shall be 24 inches by 24 inches (610 mm by 610 mm) minimum in size with a red background, white reflective stripes, and a white reflective border. The stripes and border shall have a 2-inch (51 mm) minimum stroke.

2021 International Fire Code 311.5.3 Placard Date.

Placards shall bear the date of their application to the building and the date of the most recent inspection.

2021 International Fire Code 311.5.4 Placard Symbols.

The design of the placards shall use the following symbols:

1. ☐ This symbol shall mean that the structure had normal structural conditions at the time of marking.

2. ☒ This symbol shall mean that structural or interior hazards exist, and interior firefighting or rescue operations should be conducted with extreme caution.

3. ☒ This symbol shall mean that structural or interior hazards exist to a degree that consideration should be given to limit firefighting to exterior operations only, with entry only occurring for known life hazards.

4.Vacant marker hazard identification symbols: The following symbols shall be used to designate known hazards on the vacant building marker. They shall be placed directly above the symbol.

4.1.R/O—Roof open
4.2.S/M—Stairs, steps and landing missing
4.3.F/E—Avoid fire escapes
4.4.H/F—Holes in floor"

City Ordinance 151.04 Compliance with Construction Standards
2015 IBC Building Codes Section 116 Unsafe Structures and Equipment
City Ordinance 93.03

City Ordinance 151.01 The city hereby adopts the Building Plan Review Code.

City Ordinance 151.04 (A) No part of this chapter shall relieve the applicant from compliance with all requirements of the New Mexico Uniform Building Code.

(B) That certain documents, three copies of which are on file and are open for inspection by the public in the City Development Department, Division of Building Inspection, are marked and designated as:

(1) Uniform Building Code (current edition adopted by the State of New Mexico), published by the International Conference of Building Officials, including the Generic Fire-Resistive Assembles listed in the Fire Resistance Design Manual (current edition adopted by the State of New Mexico), published by the Gypsum Association, as reference in Tables 43A, 43B, and 43C; also reference Appendix Chapter 25, if adopted, of the Specified Uniform Building, including Appendix Chapters U.B.C., Section 103, Appendix Chapter 51; an additional reference to ANSI/ASME A17-1; (current edition adopted by the state) Safety Code for Elevators and Escalators; Appendix Sections 5109 and 5111(1);

(2) Uniform Building Standards (current edition adopted by the state), published by the International Conference of Building Officials, including Structural Welding Code, Reinforcing Steel AWS DI 4-78, U.B.C. Standard No. 26-8(ii); Structural Welding Code, Sheet Steel ANSI/AWS D1, 3-8 U.B.C. Standard No. 27-16, published by American Welding Society, Inc.; and Standard for the Installation of Sprinkler Systems, NFPA 13-1980, published by the International Fire Protection Association (U.B.C.), Standard No. 38-1, as modified or amended in the Uniform Building Standards Code reference herein;

2015 IBC Building Codes needing to follow.

SECTION 116
UNSAFE STRUCTURES AND EQUIPMENT
[A] 116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

[A] 116.5 Restoration. Where the structure or equipment determined to be unsafe by the building official is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions and change of occupancy shall comply with the requirements of Section 105.2.2 and the International Existing Building Code.

On or about February 8, 2023, the following was observed at the Rio Rancho Jewish Center located at 2009 Grande Blvd SE, Rio Rancho, NM 87124. The property meets the standards for unsafe structures and equipment. The building is unsafe and deficient because structural members of framing and building supports have been compromised by fire. The building further has inadequate light and ventilation since utilities have been disconnected, the building is unable to have the proper lighting and ventilation. Additionally, the building is dangerous to human life and the public welfare because the building has major framing issues and 2nd floor has potential to collapse. Also, there are no utilities causing the building to not have lighting and ventilation. Building Division has issued a red tag due to unsafe structure. We recommend the multi-story section of the building needs demo and or alterations made to restore the building to a safe condition. The other sections of building will need to be evaluated by engineer to determine any alterations needed. All alterations will need to be approved by NM structural engineer.

TO WIT:
The property located at 2009 Grande Blvd SE, also known as Jewish Community Center (JCC) has been in violation of City Ordinances since, January 15, 2023. The property remains in violation of City Ordinances and has not been brought back into compliance as of today's date August 25, 2023 The current owner is CHABAD OF NEW MEXICO, Current inspection of the property has found that the Ordinance violations remain.

COMPLIANCE

Please apply for all applicable permits associated with the repair or removal of the fire damage structure.

Please maintain the property to a standard of not being blighted, by broken windows, and visible fire debris.

Please remove all unsafe materials from the property that may become injurious to the general public and surrounding property owners.

Please bring this property up to date with all current Fire Code requirements.

Please bring this property up to date with all current Building Code requirements.

Please have the multi-story section of the structure demolished or made to restore the building to a safe condition. The other sections of building will need to be evaluated by an Engineer to determine if alterations are needed. All alterations will need to be approved by NM Structural Engineer and the City of Rio Rancho.

Please correct the Fire Code violations to protect Fire Personnel and the citizens that live in the proximity of this structure.

Please bring this property into compliance before November 14, 2023.

Complainant,

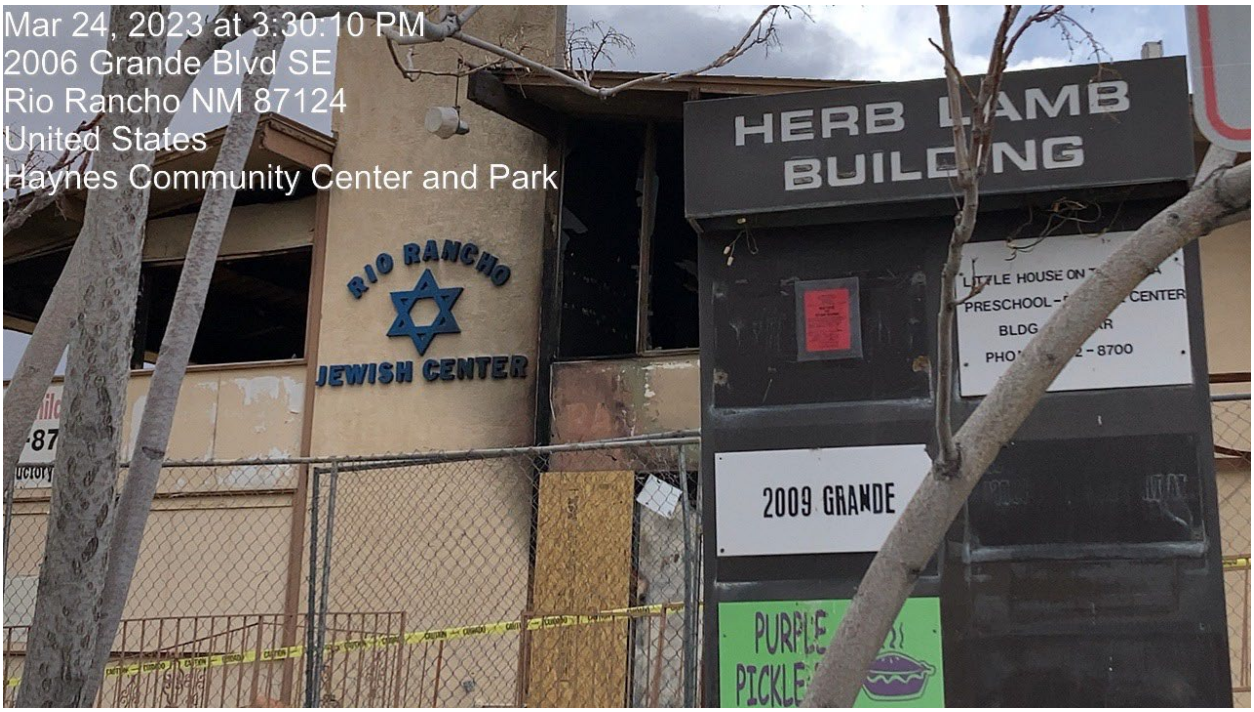
Dale Carrier
City of Rio Rancho
Code enforcement Officer
Phone: 505 891-5863
Email: dcarrier@rrnm.gov


LITTLE HOUSE ON THE MESA
PRESCHOOL-DAYCARE CENTER
BLDG. B.-REAR
PHONE 892-8700
2009 GRANDE
PURPLE
PICKLE PIE


Mar 8, 2023 at 9:21:28 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States
HERB LAMB
BUILDING
LITTLE HOUSE ON THE MESA
PRESCHOOL-DAYCARE CENTER
BLDG. B.-REAR
PHONE 892-8700
2009 GRANDE
PURPLE
PICKLE PIE
BOOKSTORE

Exhibit 5


Mar 8, 2023 at 9:02:24 AM
2009 Grande Blvd SE
Rio Rancho NM 87124
United States


Mar 24, 2023 at 3:30:10 PM
2006 Grande Blvd SE
Rio Rancho NM 87124
United States
Haynes Community Center and Park
HERB LAMB
BUILDING
RIO RANCHO
JEWISH CENTER
2009 GRANDE