

**City of Socorro Regular Scheduled City Council Meeting  
City Hall, 111 School of Mines Road, Socorro, NM 87801  
November 5, 2024**

Mayor Bhasker called the meeting to order at 12:00 p.m.

**ROLL CALL**

Leopoldo Pineda, City Clerk, took roll call.

Council members present at roll call:

- Councilor Deborah Dean
- Councilor Nick Fleming
- Councilor Michael Olguin, Jr.
- Councilor Joel D. Partridge, Jr.
- Councilor Peter Romero

Council members remotely present:

- Councilor Anton Salome

Council members absent at roll call:

- Councilor Mary Ann Chavez-Lopez
- Councilor Damien Ocampo

**PLEDGE OF ALLEGIANCE**

Mayor Bhasker led all in the Pledge of Allegiance.

**APPROVAL OF CONSENT AGENDA**

- a. Approval of November 5, 2024 City Council Agenda
- b. Consideration of Minutes
  - i. October 15, 2024

Councilor Olguin made a motion to approve the consent agenda. Seconded by Councilor Dean, motion passed unanimously.

**PUBLIC FORUM**

None

**PROCLAMATIONS AND AWARDS**

- a. Small Business Saturday

Mayor Bhasker read a proclamation declaring November 25, 2023, as Small Business Saturday.

**DISCUSSION AND DELIBERATION**

- a. Home Occupation Permit – Pollo Real LLC

Tom Delehany introduced Katie Cravens, CEO of buildmysop.com. Ms. Cravens informed the Council that she helps growers with the compliance in the Cannabis industry. Mayor Bhasker asked Ms. Cravens if she would research how the State of New Mexico distributes the tax on Cannabis. Mr. Delehany rescinded his Home Occupation Permit stating he has purchased a building that is zoned commercially. Mayor Bhasker pointed out that Belen has capped the number of Cannabis businesses whereas the City of Socorro has not. Mayor Bhasker stated that officially the Home Occupation Permit has been rescinded.

**City of Socorro Regular Scheduled City Council Meeting**  
**City Hall, 111 School of Mines Road, Socorro, NM 87801**  
**November 5, 2024**

**b. Special Use Permit – Country Living Residential Care**

Kristy Padilla, Planning and Zoning Manager informed the Council the Special Use Permit for an RV park was heard at the Planning and Zoning Commission (P&Z) meeting on October 16, 2024. The P&Z did not make a recommendation and voted to send the Special Use Permit to the Council.

Debbie DeMoss Owner of Country Living Residential Care and Laura Tacker, investor, addressed the Council. Ms. DeMoss gave a background of the intent of the Special Use Permit for an assistant living RV Park. Ms. Tacker stated that there is a need for this type of facility. Councilor Partridge asked if this is considered spot zoning, Mayor Bhasker responded no it is zoned Rural Residential which allows for mobile homes. Councilor Romero stated he has received so much documentation and has not had the time to review all of it. Councilor Dean (neighbor to the property) asked if mobile home was mentioned in the application. Mayor Bhasker responded the application is specifically for an RV park and the Rural Residential zoning allows for mobile homes so if the applicants wanted to subdivide their property into half acre lots on their 14 acres they would be allowed to have mobile homes on each lot. Ms. DeMoss stated they rather not have that type of scenario. They would like to have control of how it looks. Council Dean asked if there was a plan that would show what type of lighting and what impact it would have on the neighbors. Ms. DeMoss said they have not gone into that type of detail.

Mike Timmons, a neighbor residing at 217 Avenida Adelaida, spoke for the opposition. Mr. Timmons entered into the record for posterity and any future actions a petition from the neighborhood in opposition and full comments delivered today (attached). Leslie Johnson, 530 Harold Drive, stated that she did not receive a letter informing her of the Special Use Permit because she did not live within the 100' of the location. Mayor Bhasker stated that it would take an ordinance change to increase the distance and would take note of it. Councilor Partridge commented that as a member of the P&Z they should know about these ordinances and what is allowed in these areas and should be able to render a decision.

Mayor Bhasker stated it would be a Council decision and possibly have legal look into it and have more time to decide. Councilor Fleming asked how many mailings went out to residents. Ms. Padilla replied that 9 resided within the 100' of the location. Councilor Fleming stated there are 21 names on the petition and asked if the petition was presented to P&Z. Ms. Padilla replied that the petition was not presented to P&Z. Mayor Bhasker stated the names would have to be authenticated. Councilor Dean asked about lodger tax. Mayor Bhasker stated that they would not be subject to lodger tax because they would reside at the location for more than a month. Councilor Olguin suggested that a check list like the one that relates to the Home Occupancy Permit would be helpful in the future. Councilor Olguin's concern is if the Council was to approve a Special Use Permit for this rural residential area would it entice other landowners to put an RV Park on their property. He continued, the Council needs to be more strategic about how and what is done in these types of situations. Ms. DeMoss asked who overlooks the ordinance to see if it is being upheld. Mayor Bhasker stated he does along with Code Enforcement. Councilor Olguin stated if a Special Use Permit is approved it can also be revoked if terms and conditions aren't met. Ms. DeMoss stated if there was a to do list they could have done their due diligence. Chet

**City of Socorro Regular Scheduled City Council Meeting**  
**City Hall, 111 School of Mines Road, Socorro, NM 87801**  
**November 5, 2024**

DeMoss stated that they met with Mr. Timmons and moved the RV location from the back of the property to the front and didn't have a problem with that.

Councilor Ocampo joined remotely at 12:48 p.m.

Councilor Ocampo questioned if Special Use Permits are to be reviewed or reapplied every five years. Is it the Council or the P&Z that would review it to see if they are still doing business as they applied for in the Special Use Permit. Mayor Bhasker stated it is the responsibility of the P&Z Manager and Administration. Councilor Olguin stated that in the application, if it is denied, the applicant cannot reapply for six months. Mayor Bhasker stated the Council can vote on approval, denial, postponement, or the applicants can withdraw the application and reapply or can postpone to the next Council meeting. Ms. Johnson stated that the Special Use Permit talks about tiny homes in the future and questioned why it is in the application. Mayor Bhasker stated the application is for the RV Park and tiny homes can be built in Rural Residential zoning and can also be subdivided.

Chet and Debbie DeMoss stated at this point they would like to rescind their application. Mr. DeMoss informed the Council they will proceed in accordance with the subdivision laws. Glenn Duggins, Socorro County Commissioner and Lemitar neighbor, spoke in favor of the DeMoss' and stated what they are trying to provide would be an asset to the community. Councilor Fleming asked for clarification that the application was rescinded by the applicants. Mr. DeMoss replied that it is correct and will go an alternate route.

**c. Bid Award – IFB 092424 – Evergreen Wastewater Collection System Expansion**  
Councilor Olguin made a motion to approve Bid Award IFB 092424 to NM Underground Utilities. Seconded by Councilor Dean.

Mayor Bhasker stated the entire city will now have sewer services.

Motion passed unanimously.

**d. Letter of Award – Manzanares Avenue**

Councilor Olguin made a motion to approve the Letter of Award to Albuquerque Asphalt. Seconded by Councilor Romero.

Mayor Bhasker stated that this project will pave Manzanares Avenue to approximately 5<sup>th</sup> Street.

Motion passed unanimously.

**e. OSHA Policies and Procedures**

**i. Hazard Communications**

**ii. Bloodborne Pathogen Plan**

Councilor Olguin made a motion to approve the Hazard Communications and Bloodborne Pathogen Plan OSHA Policies and Procedures. Seconded by Councilor Ocampo, motion passed unanimously.

**City of Socorro Regular Scheduled City Council Meeting  
City Hall, 111 School of Mines Road, Socorro, NM 87801  
November 5, 2024**

**NEW BUSINESS**

None

**OLD BUSINESS**

Councilor Partridge thanked the city staff and Lloyd Martinez, General Services Director, for the cornhole project at Sedillo Park.

Councilor Romero thanked Michael Padilla, Recreation Director, for the Halloween Trick or Treat event held at the Plaza.

Mayor Bhasker gave an update on the City of Socorro Municipal Electric.

1. The New Mexico Public Regulation Commission potential order on Socorro Electric Cooperative. The rates charged from September 11, 2019, to June 3, 2022 should be corrected to comply with the rates set in the Final Order. The Commission expressed SEC's incompetence, frivolousness and wasting the owner's money and legal issues not being accomplished. SEC needs to show cause why they are not subject to the Commission imposed fines of \$948,000.00 in penalties that have accrued and provide an accounting of the mis-collected amounts due to SEC's failure to file their rates.
2. The city has tentatively been approved to receive approximately 70% of our solar and battery storage project paid for by a grant: A 5mw solar facility with a 10mw battery storage.
3. Putting a resolution together with ICAST to advance the solar project
4. Obtaining pricing from Guzman to provide electricity to the City grid and for solar and battery offsets.

**EXECUTIVE SESSION**

None

**MAYOR'S REPORT**

**a. Job Description**

Administrator Monette presented the Job Description for General Ledger Clerk stating the only change is adjusting the salary range.

Councilor Fleming made a motion to approve the Job Description. Seconded by Councilor Olguin, motion passed unanimously.

**b. Personnel Changes**

Councilor Fleming motioned to approve the Personnel Changes as presented by Mayor Bhasker.

NAME	EFFECTIVE	DEPARTMENT	REASON	SALARY
Valen Alonzo	11/05/2024	Administration	Completed Associate Degree	L-52 to L-54
Ashlyn Aguilar	11/05/2024	Fire	Completed Probation & EMT-Basic	A-56 to A-60
Steven Silva	11/05/2024	Senior Center	New Hire	A-37
Cheyenne Cortez	11/05/2024	Tourism/Convention Center	Promotion to Director	E-49 to E-55
Peter Gonzales	11/19/2024	Police	Additional Job Duties	K-69 to K-71
Jilberto Chavez	10/17/2024	Landfill	Termination - Abandonment	

Seconded by Councilor Olguin, motion passed unanimously.

**City of Socorro Regular Scheduled City Council Meeting  
City Hall, 111 School of Mines Road, Socorro, NM 87801  
November 5, 2024**

**c. Business Registrations**

Councilor Romero motioned to approve the Business Registrations as presented by Mayor Bhasker.

NAME	ZONING	ADDRESS	OWNER	TYPE
Marts Mexican & More LLC	Transient Vendor	2345 State Rd 1	Gabriel Garza	Food Trailer
Socorro Wellness & Rehabilitation	C-2	1203 Highway 60	David Gartz	Skilled Nursing Facility
Noralta Technologies USA, Inc.	Out of Town	Mustang, OK	Cam Zarowny	Electrical Contractor

Seconded by Councilor Fleming, motion passed unanimously.

**d. Announcement – Next City Council Meeting Dates and Times**

Mayor Bhasker stated that the next regular City Council meeting will be held Tuesday, November 19, 2024, at 6:00 p.m. in the City Hall Council Chambers (111 School of Mines Rd.).

**ADJOURNMENT**

The meeting was adjourned at 1:15 p.m.

**THE CITY OF SOCORRO – a municipal corporation**



Mary Ann Chavez-Lopez, Mayor Pro Tem

ATTEST:



Leopoldo Pineda, City Clerk

Mayor Bhasker and members of the city council,

My name is Mike Timmons. I moved to Socorro in 2004 when I was hired at NM Tech. In 2005, I purchased my first home here in Socorro, at 217 Avenida Adelaida. I have been in this home ever since, and I continue to raise my kids here in Socorro.

I would like to enter my full comments into the record for the city council. I would also like to enter into the record a petition by my neighborhood of homeowners and occupants from Avenida Adelaida, Northeast Frontage Road, and Harold Street in opposition to the planned mobile RV Park at 1495 NE Frontage Road. I also want to state for the record that changing the time of this meeting to noon on Election Day has the appearance of suppressing opposition to the DeMoss Special Use Application.

My house is situated 10s of feet from my back fence, directly adjacent to the DeMoss Property. The current facility was built on a Special Use Permit to renovate the ranch house into a late-care facility. There was little protest to this zoning variance because the facility specifications were limited to the home's footprint, and assurances were made that the rest of the property would remain agricultural. In fact, in testimony before Planning and Zoning on June 7, 2018, Ms. DeMoss was asked by Christina Carnegie "Is there any expansions planned at the property" and Ms. DeMoss responded "she would like to expand the facility into a 15 bed facility" later Ms. DeMoss indicated "she would like to put a resting area in the front with a pond and the back will be all farmland". We now know that the assurances provided by Ms. DeMoss were, at best, inaccurate and, at worst, dishonest with the council and her neighbors.

In 2020, Ms. DeMoss returned to Socorro P & Z to request another Special Use Permit to develop a Mobile RV Park on the backlot of the property and within feet of my property. That application was withdrawn as they were informed that a traffic study of the frontage road would likely be required, and the project seemed to be shelved for a period.

I attended the latest October 16th P & Z meeting to express my opposition to the development. While aspects of the development project have changed, the mobile RV Park remains a central element of the proposed project. P&Z inexplicably approved the proposed development despite multiple protestors attending. Only 3 of the five commission members were present, and Chairman Anaya told me he abstained from the vote. I do not have minutes from the meeting to confirm, but I will be confirming that a quorum was attained, certified letters went to all homeowners as required, and votes were recorded accurately.

Now you, the council, are considering a recommendation from P & Z for a special use permit to develop a mobile RV park in a rural residential zoned section of the city. I will remind the council that a special use permit is required for a specific land use that is not permitted by right within the zone. Special use permits are required by ordinance to meet the following conditions under Chapter 250, Article 5, Section 250-5.5.

In this section, the city has certain requirements that must be followed, including:

Special use permits shall not be granted in such cases where they would adversely affect adjoining property values or endanger public safety.

AND

Special use permits shall not be granted in such cases where the use is or will become detrimental to the character of the zone wherein it is located.

With any Special Use Submission, the applicant is required to document the following:

There shall be a comprehensive statement included with each application indicating in detail the reason for the request, the purpose and the use of the property, all improvements to be made, and a site plan including the following:

- a. Location of existing and proposed structures, including the dimensions of setbacks.
- b. Existing and proposed vehicular circulation systems, including parking areas, storage areas, service areas, loading areas, and major points of access, including street pavement width and right-of-way.
- c. Location and treatment of open spaces, including landscaping plan and schedule.
- d. Lighting.
- e. Signage.
- f. A drainage plan, site plan, landscaping plan, and grading plan shall be required for all special-use developments.

None of this information is included in the special use application. I will add that there is no information regarding power upgrades, sewer enhancements, traffic studies, or any details needed to evaluate the merits of the proposal. Lastly, the City ordinances also stipulate that Special uses shall not be considered a zoning district change.

My question for the city leadership is rather simple. Given the restrictions stipulated and required by city ordinance, how can a special use permit be used to permanently change the zoning for a neighborhood?

This application will permanently change the zoning conditions in this part of the city and will absolutely impact the property values of adjacent homeowners. **All future owners and neighbors would, if approved, be saddled permanently with a commercial operation.** The Applicants have not met even the minimum requirements of a special use permit application; they have not requested a renewal special use permit for the current facility, which I understand is required to be renewed every 5 years, consistent with the temporary zoning status granted to all special use applicants. **This new commercial venture, with non-Socorro investors, will have a singular purpose: to extract every cent of value out of the property and all adjacent properties to the detriment of the neighboring homeowners.** To my knowledge, no formal traffic study has been completed or supplied with the application. Chet and Debbie DeMoss also plan to move to Texas, they will not be here to manage the property.

I stand here in opposition to the DeMoss special use application and I am accompanied by others from our neighborhood. I have collected signatures from neighbors of mine along Avenida Adelaida, the north frontage road, and Harold Drive. All petitioners oppose this development and value the rural zoning restrictions in place.

I have provided this council with all the information needed to deny this special-use permit application. This is a test of your leadership. Do you support the citizens of Socorro and my neighborhood or a connected family who do not live in Socorro and have no plans to reside in Socorro?

My whole world is right here. I've raised two kids in Socorro; this is the only home they have known, and I will continue to fight this proposed development with every legal means available to me. I can only trust that this council will uphold the ordinances of the city. Thank you for your service to our community, and I'm available anytime if you have questions.



Oppose a special use permit  
**Petition to [Action Petitioned For]**  
 at 1495 NE Frontage Rd

**Petition summary and background**  
 Debbie DeMoss (DBA Country Living Residential Care) has submitted a Special Use Permit that would permit the construction of a Mobile Home or Recreational Vehicle Park at 1495 NE Frontage Road, Socorro, NM. 87801. The proposed construction of the Mobile home or recreational vehicle park will have adverse effects on adjacent homeowners with increased traffic, congestion, light, and noise disruptions, and depress local home values. Private investors in the project will not be bound to current plans if the business model does not meet the business income demands of the partners. The property will become only a vehicle for extracting value from the land and adjacent properties.

**Action petitioned for**  
 We, the undersigned, are concerned citizens who urge our leaders to act now to **Deny** the Special Use Permit to Debbie DeMoss (DBA Country Living Residential Care) on 1495 NE Frontage Road, in Socorro, NM.

Printed Name	Signature	Address	Comment	Date
Mike Timmers	[Signature]	217 Adelaida	Please do not approve	10/21/24
Gonzalo Lion	[Signature]	206 Ave Adelaida.		10/21/24
Elvira Licano	[Signature]	200 Ave. Adelaida.		10/21/24
Manuel Licano	[Signature]	206 Ave. Adelaida		10/21/24
Racine Hutzler	[Signature]	1346E Frontage rd	NO APPROVAL	10/21/24
Sheena Tozier	[Signature]	211 Ave. Adelaida	Please do not approve!	10/21/24
John P. Lagorda	[Signature]	221 Avenida Adelaida	Do Not Approve this Permit	10-21-2024
Mark Matthews	[Signature]	218 Avenida Adelaida	DO NOT APPROVE	10/20/24
GIANNA L. MATTHEWS	[Signature]	218 AVENIDA ADELAIDA	PLEASE DO NOT APPROVE	27 Oct 2024
SABINO GRISALVA	[Signature]	518 Harold Drive		28 Oct. 2024