



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, September 25, 2023 6:00 PM**  
**Minutes**

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**Call to Order**

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

**Pledge of Allegiance**

Councilor Apodaca led the Pledge of Allegiance.

**Roll Call**

PRESENT

Governing Body

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

Staff

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

**Approval of Agenda**

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

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Winters

Motion passed with a 3-0 vote.

**Approval of Consent Agenda Items Minutes for the City Council Workshop & Regular Business Meeting  
Minutes for (09/11/2023) & Accounts Payable**

Motion made by Councilor Gutjahr to approve the consent agenda. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Winters

Motion passed with a 3-0 vote.

**Presentation:**

**Valencia County Business Incubator - Ben Romero**

Mr. Romero gave a presentation discussing the progress of the Incubator in the past year. He talked about the resources that the incubator has to offer the County and explained that they are looking for more resources to have full-time staff. Mr. Romero continued to explain that they would now have someone in the office every day of the week. He talked about the team behind the incubator and the 12 clients that they currently have. Mr. Romero continued with his presentation and talked about partnerships of the incubator and explained the next steps VCIB is working on. Councilor Apodaca asked if they had an intake process. Mr.

Romero answered yes, they have an intake program and went over the process. Councilor Gutjahr thanked Mr. Romero and said there is a lot of information here that she didn't know about. Councilor Winters thanked Mr. Romero for coming and said we are appreciative of all your effort.

**Public Hearing - For the purpose of Ordinance 2023 - XX Comcast Franchise Agreement**

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

Motion made by Mayor Pro-Tem Gutjahr to recess the regular business meeting and go into a public hearing for the purpose of Ordinance 2023 - XX Comcast Franchise Agreement. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Winters

With a 3-0 vote Council went into the public hearing at 6:32pm.

Dr. Moore went over the franchise agreement and explained that the County was getting the franchise agreement money and since we are an incorporated city, we are the ones that should be getting the money. He further explained the process and the revenue as a result of the ordinance and that it is a straight forward agreement. Councilor Apodaca said this is great for the City moving forward. Attorney Van Vleck said just so you are aware on everyone's bill it will say the City of Rio Communities tax. Dr. Moore said it is a changeover it is currently says Valencia County's tax and now it will say Rio Communities tax.

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

Motion made by Councilor Apodaca to go back into Regular Business meeting. Seconded by Mayor Pro-Tem Gutjahr.

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Winters

With a 3-0 vote Council went back into regular business meeting at 6:46pm.

**Discussion, Consideration, and Decision -Ordinance 2023 - XX Comcast Franchise Agreement**

Motion made by Councilor Apodaca to adopt Ordinance 2023-91, Comcast Franchise Agreement, Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Winters

Motion passed with a 3-0 vote.

**Public Comment**

No public comment was given.

**Manager Report**

**A. 10th Anniversary Celebration Update**

Dr. Moore gave an update on the 10 year anniversary he thanked all that are involved and said flyers are out.

**B. City Hall Roof**

Dr. Moore gave an update on City Hall Roof and stated there are some issues and we did get with Roof Care, and they talked to us about what needs to be done.

**C. City Hall Parking Lot**

Dr. Moore then gave Council an update on the parking lot and said the work will begin as soon as tomorrow.

**D. Sheriff Department Agreement**

Dr. Moore explained that they will be having a meeting with the Sheriff and our Police Chief to go over the agreement.

**Discussion, Consideration, and Decision – Approval of Contract- DHSEM Invitation to Bid #2023-0101**

Finance Officer Finch explained that prior to the flooding in 2021 a grant was put in and we are working to restore the area of Chamartín and San Lucas. She explained that the Chief Procurement Officer did bid both separately because NMDOT and DHSEM couldn't decide on how to do them together. She stated that Desert Fox Paving LLC was the lowest, responsive bidder. She went over the prices of the bids.

Motion made by Mayor Pro-Tem Gutjahr to approve the contract as presented. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Winters

Motion passed with a 3-0 vote.

**Discussion, Consideration, and Decision – Approval of Contract- Drainage Improvements Invitation to Bid # 2023-0102.**

Finance Officer Finch went over the contract and explained that they requested this grant before the flooding and was approved and she said that Dessert Fox Paving LLC was the lowest, responsive bidder and went over the bid. She did explain that the contractor was aware that we are on a deadline.

Motion made by Councilor Apodaca to approve the contract as presented, Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Winters

Motion passed with a 3-0 vote.

**Discussion, Consideration, and Decision – Resolution #2023-XX Participation in Capital Outlay Program Administered by New Mexico Department of Transportation**

Dr. Moore went over the streetlights on Horner and then stated with rollover money they will look at Hillandale and that this is the first step. Councilor Gutjahr said she was glad to see this moving forward.

Motion made by Mayor Pro-tem Gutjahr to approve Resolution 2023-22, Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Winters

Motion passed with a 3-0 vote.

**Discussion, Consideration, and Decision – Council Workshops**

Mayor Ramsell went over the process of cutting back on the workshops. Councilor Apodaca said he is willing to give it a try. Pro Tem Gutjahr said she thinks it will be good to have more discussion in the regular business meeting for the public.

Motion made by Mayor Pro-tem Gutjahr to cancel workshops before regular business meetings, Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Winters

Motion passed with a 3-0 vote.

**Council Discussion**

Councilor Apodaca said he likes the fact that public works is on top of the Graffiti and that we are going to make an effort as a city to wipe out any graffiti that appears and stay on top of it and discourage any future gang members or whoever is responsible for that. Councilor Winters said we have approved a lot of projects to move forward and that we are trying to get everything we can taken care of this year.

**Executive Session - For the purpose of For the purpose of employment status of Public Works supervisor and temporary Public Works employees. Limited Personnel Matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)**

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

Motion made by Councilor Apodaca to go into closed session, Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Winters

With a 3-0 vote Council went into executive session at 7:07pm.

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

Motion made by Mayor Pro-Tem Gutjahr to go back into the regular business meeting session, Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr  
Councilor Apodaca  
Councilor Gordon  
Councilor Winters

With a 4-0 vote Council went back into the regular business meeting session at 7:45

Welcome everyone back and statement by the Mayor:

See agenda for Statement.

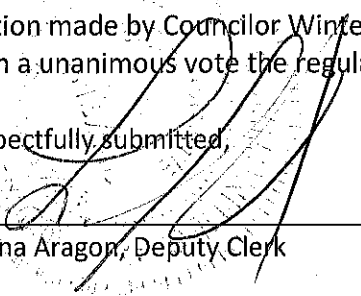
**Recommendation, Discussion, Consideration and Decision - For the purpose of Limited Personnel matters employment status of Public Works supervisor and temporary Public Works employee pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)**

Mayor Ramsell said there are no recommendations at this time.

**Adjourn**

Motion made by Councilor Winters to adjourn the meeting, Seconded by Councilor Apodaca. With a unanimous vote the regular business meeting session was adjourned at 7:45pm.

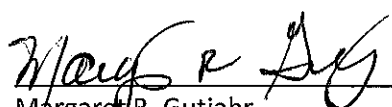
Respectfully submitted,

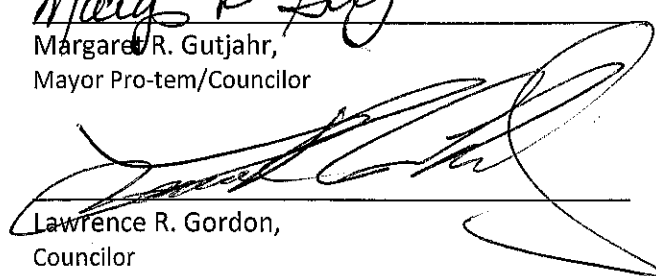
  
Lalena Aragon, Deputy Clerk

Date: 10/30/23

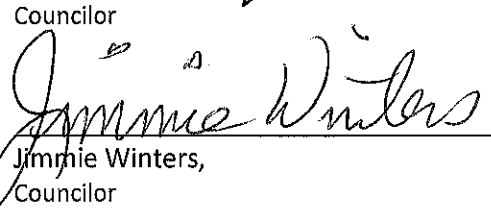
Approved:

  
Joshua Ramsell,  
Mayor

  
Margaret R. Gutjahr,  
Mayor Pro-tem/Councilor

  
Lawrence R. Gordon,  
Councilor

  
Arthur Apodaca,  
Councilor

  
Jimmie Winters,  
Councilor