



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, October 23, 2023, 6:00 PM
Minutes

Please silence all electronic devices.

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

Staff

Manager Dr. Martin Moore
Deputy Clerk Lalena Aragon
Fire Chief Andrew Tabet
Attorney Randall Van Vleck

Approval of Agenda

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

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Approval of Consent Agenda

- 1. Regular Business Meeting Minutes – October 10, 2023**
- 2. Accounts Payable**

Amazon Business	4,426.24	Linde Gas & Equipment, Inc.	794.21
Desert Fox, LLC.	124,036.57	Griffin & Assoc. Marketing, Inc.	3,742.33
Universal Waste Systems, Inc	505.77	Staples Contracting & Commercial	202.37
Napa Auto Parts	522.12	Ray's Fire Extinguishers	1,575.00
Valencia County Fiscal Office	1,858.85	Ortega & Son's Propane Services	337.77
NM Local Government Law	3,325.61	SJT Group LLC	12,185.84
Woodlands Hardware	238.88	AT&T Mobility	2,073.08
Wells Fargo Financial Leasing	2,497.73	Albuquerque Publishing Co.	1,650.94
Century Link	171.73	Belen Greater Chamber of Com	1,140.00

Artesia Fire Equipment	36,940.86	Sharp Electronic Corporation	3,556.70
RoofCARE, LLC.	10,299.97	Boundtree Medical	610.84
Admin. Office of the Courts	72.00	Bank of America, N.A.	7,174.31
Ridgecrest Products	350.00	Comcast Business	281.55
Maloy Mobile Storage, Inc.	243.68	Palmetto LLC	5,044.98
HDR Engineering, Inc.	13,130.36		

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

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

Public Comment:

No comments.

Manager Report

Dr. Moore gave a report on the City of Rio Communities 10th Anniversary event and noted the event received a good amount of positive feedback. He addressed the progress of filling potholes and stated there are some concerns on Don Diego Road, but Public Works is working with NMDOT to get materials for repair. Dr. Moore said the city is working with legislatures for grants to bring City Hall up to date with ADA compliancy and discussed projects that the city will be moving forward with. Dr. Moore gave an update for Fire Chief Tabet explaining the Fire Department received a Fire Marshall's grant with a zero percent match for radios to bring the city current with the New Mexico's Seven Hundred Program. The award was in the amount of \$186,442.97 and the radios should be live in the next two months.

Councilor Apodaca said he heard a lot of positive comments on the anniversary, and thanked Chief Tabet for hosting the car show, and Council Gutjahr for her work with the Health Fair.

Councilor Gordan thanked all involved for making the event last weekend possible.

Mr. Nunez from HDR gave a presentation for the 60% Review of the Horner - Hillandale project: Phase 1 would be from Highway 47 to Brugg, Phase 2 going from Brugg to Hillandale, and Phase 3 from Hillandale to Manzano Expressway. Mr. Nunez gave an example of the alternatives for Phase 1 because of the issues with speeding near the intersection of Khagan and Suncrest, explaining an alternative would be to narrow that intersection of Kagan Loop and Suncrest, taper Suncrest to give more room for traffic to que, or build a roundabout that will help with traffic and speeding. Mr. Nunez continued to explain the drainage features to provide correct drainage. Mr. Nunez explained the estimated cost of the project would be \$1.5 million.

Dr. Moore explained once the plans are at 90% complete, the city will begin to seek funding from NMDOT for the project.

Mayor Ramsell was concerned about the roundabout. Mr. Nunez explained the roundabout.

Councilor Apodoca stated he liked the idea of the roundabout.

Councilor Winters stated that they have had concerns about the flooding in the area near Horner and wanted to know if this would help with that.

Mr. Nunez said they are creating a runoff for drainage and will define the ditch to hold more water. The discussion continued regarding roundabout and drainage designs. Mr. Nunez then stated the total cost of Phase 2 will be \$2.3 million and explained the design of Phase 3. The discussion continued.

Councilor Gutjahr suggested scheduling dates to have community forums to discuss the plan at 90%.

DISCUSSION, CONSIDERATION, AND DECISION – APPROVAL OF RESOLUTION 2023-23, A RESOLUTION TO ACCEPT DFA LAW ENFORCEMENT RECRUITMENT GRANT APPROPRIATION NUMBER 23-ZH5048-69

Mayor Ramsell began a discussion regarding Resolution 2023-23 for DFA Law enforcement funds.

Councilor Gutjahr said the city was fortunate to receive this grant and wanted the public to know that even though the city was granted this money, a Resolution must be passed to accept it.

Councilor Apodoca thanked Police Chief Nunez for obtaining the grant for the city, explaining he was on top of it before he was hired, and let us know that day was the deadline to put in for this grant.

Motion made by Councilor Apodoca to approve RESOLUTION 2023-23, A RESOLUTION TO ACCEPT DFA LAW ENFORCEMENT RECRUITMENT GRANT APPROPRIATION NUMBER 23-ZH5048-69. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodoca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – APPROVAL OF RESOLUTION 2023-24, 1ST QUARTER FINANCIAL REPORT YEAR ENDING JUNE 30, 2024

Dr. Moore said the city has stayed within what is budgeted for, spending grant money, and the reports are good we do anticipate that everything is on track.

Councilor Apadoca said he looked at the report and everything looks to be on track.

Dr. Moore said one comment in relationship to the report is he tries to track the revenues to make sure it is balanced with expenses, and was pleased with the gross receipt revenues, as they have been increasing.

Councilor Gutjahr stated for people watching the meeting online should understand the city should have used 25% percent of our budget so far in 2024, and we are on track.

Motion made by Councilor Gutjahr to approve RESOLUTION 2023-24, 1ST QUARTER FINANCIAL REPORT YEAR ENDING JUNE 30, 2024. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Council Discussion

Councilor Apodaca did not have a report.

Councilor Gutjahr began by thanking everyone, Fire Chief Tabet and Police Chief Nunez, really appreciated the staff and Public Works, as they went beyond what was expected of them, and then thanked the community for attending the 10th Anniversary Celebration.

Councilor Gordan thanked the City Manager for getting the Don Diego project going.

Councilor Winters stated the city needs to decide whether to have the event again next year and if so, begin planning it as soon as possible. He then stated the city needs to start an analysis of how we did and can improve, finding better ways to partner with the Moose, the Bank and Mr. Gentry.

Dr. Moore said he has spoken with all the parties, and they are willing to sit down with us and discuss ways to improve things, as well as safety.

Mayor Ramsell thanked the staff and their families for being here both days. He also thanked the Fire Department and the Police Chief, the bands, and the community for attending. Mayor Ramsell said he thought the event went well for being the first large event for the city and it would be good to make it an annual thing. He also thanked the Moose Lodge, Mr. Gentry, and the Bank for being gracious and letting us use their parking lots, to Public Works for all they did to help with the event.

Executive Session - For the purpose of XX 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) NMSA 10-15-1(H)(2) LIMITED PERSONNEL MATTERS POLICE CHIEF CONTRACT NMSA 10-15-1(H)(7) THREATENED LITIGATION EEOC CLAIM – FORMER PUBLIC WORKS EMPLOYEE ZONING SETBACK VIOLATIONS AT 304 BRUGG. NMSA 10-15-1(H)(8) REAL PROPERTY & WATER RIGHTS DRAINAGE EASEMENT

Motion and roll call vote to go into closed session.

Motion made by Councilor Gutjahr to go into executive session at 7:00 pm. For the purpose of XX 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) NMSA 10-15-1(H)(2) Limited Personnel Matters, Police Chief contract NMSA 10-15-1(h)(7) Threatened litigation EEOC claim – former public works employee Zoning setback violations at 304 Brugg. NMSA 10-15-1(h)(8) real property & water rights drainage easement. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

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

Councilor Apodaca motioned to return to regular session at 8:17 pm, seconded by Councilor Winters

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

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

Councilor Gutjahr motioned and certified that only the matters presented for Executive Session were discussed and no decisions were made, seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision - Approval of amendments to Police Chief Contract

Councilor Gordan motioned to approve of amendments to Police Chief Contract, seconded by Councilor Apodaca.

Voting Yea:


Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Adjourn


Councilor Winters motioned to adjourn the meeting at 8:19 pm, seconded by Councilor Apodaca. The motion carried unanimously.

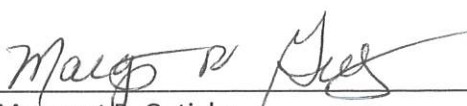
Respectfully submitted,


Lalena Aragon, Deputy Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

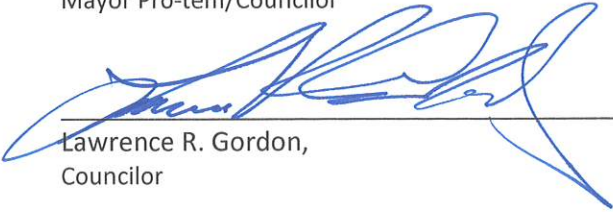
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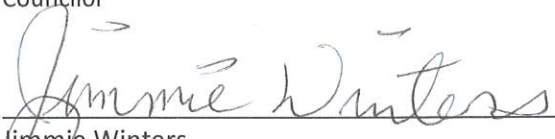
Approved:


Joshua Ramsell,
Mayor


Margaret R. Gutjahr,
Mayor Pro-tem/Councilor


Arthur Apodaca,
Councilor


Lawrence R. Gordon,
Councilor


Jimmie Winters,
Councilor