



City of Rio Communities Council Special Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Friday, December 29, 2023 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

Mayor Ramsell called the meeting to order at 6:01pm.

Pledge of Allegiance

Councilor Gordon 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
Finance Officer Stephanie Finch
Fire Chief Andrew Tabet
Attorney Randall Van Vleck
Police Chief Felix Nunez

Public

Loedi Silva
Kathy Gurule
Monique Marquez
Matthew Marquez
Dick Irvin
Marylynn Winters
Arturo Saiz
Claudine Montano
Thomas Nelson

Approval of Agenda

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

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

2. SPECIAL BUSINESS MEETING – NOVEMBER 29, 2023

3. REGULAR BUSINESS MEETING – DECEMBER 11, 2023

4. JOINT SPECIAL WORKSHOP WITH PLANNING & ZONING – DECEMBER 12, 2023

5. ACCOUNTS PAYABLE

Able & Willies One Stop Shop, LLC	98.00	Woodlands Hardware	596.88
Century Link	78.43	Amazon Business	347.30
Napa Auto Parts	168.07	Batteries Plus #1049	75.45
TLC Uniforms	694.78	Code 3 Service	18,333.38
Tyler Business Forms	891.71	Construction Coordinators Inc.	16,250.24
Universal Waste Systems, Inc.	397.47	Griffin & Associates Marketing, Inc	1,738.79
Village of Bosque Farms	18,233.00	HDR Engineering, Inc	42,357.53
Wells Fargo Financial Leasing	2,497.73	HEI, Inc	83,888.40
McKesson Medical-Surgical	561.20	Sharp Electronics Corporation	3,846.27
SJT Group LLC	4,797.38	Staples Contract & Commercial, LLC	295.65
Unique Fleet, LLC.	5,776.78	Comcast Business	281.55

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

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

PUBLIC COMMENT

Loedi Silva stated in the minutes that were posted in the packet needed to be reviewed before approving.

Kathy Gurule stated in recent weeks it was come to light that the governing body of Rio Communities awarded the City Manager a substantial salary increases equal to that of many elected state officials and much higher than other municipalities. She has seen few changes in over a year she has been here with the opening of Pee Wees and the hiring of a Police Chief and a police officer which are positive progress then the renovation of city hall and the re-pavement of the parking lot makes her question of
Council Special Business Meeting Minutes December 29, 2023

what possible justifiable there could be for such a sizable salary increase for one person and those resources could have been better spent on multiple personal. The streets are in dire need of maintenance and many neighborhoods are completely dark at night. The results of the recent elections the residents clearly want change. The people speak very clearly.

Monique Marquez stated on December 29, 2019, the City of Rio Communities held a swearing in ceremony with outgoing city council present on December 29, 2021, the city held a swearing in ceremony with outgoing city council present Mayor Ramsell was sworn in on that day. Yesterday on December 28, 2023 the newly elected council was sworn in and nobody from this council was present, not the Mayor nor the City Manager. As we enter a new era, I hope the council works hand and hand with the newly elected officials that this city has elected. If this swearing in was scheduled how come the New Bulletin wasn't aware.

Matthew Marquez, as a newly elected city council member stated that the decision that was being made this past month should have been reserved by the outgoing council and waited for the incoming council. At no point in the city's past have there been this many decisions by outgoing council members. He asked that no decision be made that are on the agenda tonight.

Dick Irvine stated that the Planning and Zoning meets at 4:00pm why couldn't it be 6:00 as people are still at work or getting their children from school. He then stated that new city council members are being shut out with actions from the current council. In the past years there has only been one City Council meeting and this year there are two. The only thing that should be voted on this agenda is number 19 to adjourn.

Manager Report

City manager Dr. Moore gave an update on the speed bumps on Hillandale and stated that Public Works are working on street signs and other things around the city. He continued to talk about the zoning code and explained that he will be giving an update on that and in relationship to the end of the year. He stated that the city has employees testing positive for covid and we are asking them not to come into the building. He then gave an update on the San Lucas and Chamartín project from the inspection report from the engineer everything is as expected. As far as the zoning code we will be meeting at the beginning of the new year.

Council Discussion.

Councilor Gutjahr gave a thank you speech and thanked the community for all the votes. She gave an update on the history of the city and talked about the the founders of the city. She also thanked the staff for all they have done and that she continued to thank the staff for the journey they shared. She explained grants and the way the city has used them.

Mayor Ramsell thanked Councilor Gutjahr for all she has done for the city. He then thanked Mr. Winters for all his work in the community and the history he shares with the city.

Mayor Ramsell stated that there is a street light plan and repaving plan in place and is happy to talk about it after the meeting to anyone who wants information on it.

DISCUSSION, CONSIDERATION, AND DECISION – APPOINTMENT TO FILL VACANT PLANNING & ZONING COMMISSION SEAT

Mayor Ramsell stated that Mr. Henderson is interested in filling the vacancy on the Planning and Zoning Commission. He was our first code enforcer and will be a good candidate to fill the vacant seat.

Councilor Apodaca said it is a good choice.

Council Gutjahr agreed.

Councilor Winters said he worked with him when he was our first code enforcer, and he will be an excellent choice.

Motion made by Councilor Gutjahr to appoint Mr. Henderson to fill the vacant Planning and Zoning Commission seat. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – TO INCREASE DEPUTY CLERK, PUBLIC WORKS SUPERVISOR AND PUBLIC WORKS WORKER FROM 35 HOURS A WEEK TO 40 HOURS A WEEK

City Manager Dr. Moore explained this is a continuation of our efforts to make sure we have better coverage out there for the public. With the Clerk's Office we all know the need there and the second thing is that Public Works are doing a good job and at 35 hours a week it makes it hard for him to keep up on all that needs to be done.

Council Gutjahr said it is a wonderful thing and she is glad that we are able to do this.

Councilor Winters said that Public Works is an understaffed department.

Councilor Apodaca said he agrees and that it is beneficial for them to do their job more efficiently.

Councilor Gordon stated that being so short staffed after 10 years and the work they put fourth they need to be complimented for all their hard work and thank them for all they do.

Mayor Ramsell said he agrees that 40 hours a week will allow them time to get the work that desperately needs to get don done.

Motion made by Councilor Apodaca to increase Deputy Clerk and Public Works Supervisor and Public Works Worker hours from 35 hours a week to 40 hours a week. Seconded by Councilor Gordon.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-25, ANNUAL BUDGET AMENDMENT #01 (FISCAL YEAR ENDING JUNE 30, 2024)

Finance Officer Finch went over the budget adjustment by department.

Councilor Apodaca said the expenses are more and more and it is a work in progress, and this is a step in the right direction.

Councilor Gutjahr explained that this is all online and this is a learning process.

Councilor Winters said this is state requirements that we break them down this way.

Mayor Ramsell stated that we have been replacing light bulbs in the all-city buildings to try to make everything as energy efficient as possible.

Motion made by Councilor Gutjahr to approve Resolution NO. 2023-25, annual budget amendment #1. Fiscal year ending June 30, 2024. Seconded by Councilor Gordon.

Voting Yea:

Mayor Pro-Teem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-26, TRAVEL POLICY

City Manager Dr. Moore explained that the Travel Policy is compliant with state law.

Finance Officer Finch explained that DFA has never increased the rate until covid she explained that instead of having to keep going back every year approving a new policy every time DFA increases the rate, we will just have in our policy what the current DFA rate is. She stated this is what other municipalities are going to as well.

Motion made by Councilor Gordon to approve Resolution NO. 2023-26 Travel Policy, Seconded By Councilor Winters

Voting Yea:

Mayor Pro-Teem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-27, W

Mayor Ramsell explained the open meeting act and the postings will be at the Moose Lodge, NM Water Department, Tierra Grande HOA, Oasis Wash and Fold, City of Rio Communities Fire Department, and the Clerk's office.

Motion made by Councilor Apodaca to approve Resolution NO. 2023-27 Open Meetings Act, Seconded By Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-28, GOVERNING BODY CODE OF CONDUCT

City Attorney Van Vleck explained the Code of Conduct and said it is to complement the one the City currently has. In sections of non pardonship and how confidential information should be kept and miss use of city resources and city property.

City Manager Dr. Moore explained that on the state level there is a strict Code of Conduct and this falls in line with what other cities are doing.

Councilor Gutjahr said this is very helpful and that employees and voluenterers have to follow this as well.

Motion made by Councilor Gutjahr to approve Resolution NO. 2023-28 Governing Body Code of Conduct. Seconded By Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – RESOLUTION NO. 2023-29, OFFICIAL HOLIDAYS

Motion made by Councilor Gutjahr to approve Resolution NO. 2023-29 Official Holidays Seconded By Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – CONSULTING SERVICES FOR MUNICIPAL CLERKS OFFICE

City Manager Dr. Moore explained that they had talked to Gail Jones and asked if she would sit down and train our Deputy Clerk. Mrs. Jones was reasonable with her price. She will be here once or twice a week until the end of this fiscal year not to exceed the dollar amount of \$10,000.

Motion made by Councilor Gordon to approve consulting services for Municipal Clerk’s Office not to exceed \$10,000. Seconded By Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – AGREEMENT BETWEEN VALENCIA COUNTY AND THE CITY OF RIO COMMUNITIES FOR THE PURPOSE OF PROVIDING HOUSING AND CARE OF ADULT PERSONS ARRESTED BY THE CITY OF RIO COMMUNITIES OR SENTENCED TO DETENTION OR CONFINEMENT PURSUANT TO THE JURISDICTION AND AUTHORITY OF THE CITY OF RIO COMMUNITIES MUNICIPAL COURT

City Manager Dr. Moore explained this is a basic agreement with the detention center.

Chief Nunez explained that we are picking up the cost if it comes from our Municipal Court. He then went over the medical part of it and how it works.

Motion made by Councilor Apodaca to approve agreement between Valencia county and the City of Rio Communities for the purpose of providing housing and care of adult persons arrested by the City of Rio Communities or sentenced to detention or confinement pursuant to the jurisdiction and authority of the city of Rio Communities Municipal Court. Seconded By Councilor Gutjahr.

Voting Yea:

Mayor Pro-Teem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION –INTERGOVERNMENTAL SERVICES AGREEMENT BETWEEN THE COUNTY OF VALENCIA AND THE CITY OF RIO COMMUNITIES FOR LAW ENFORCEMENT PROTECTION

City Manager Dr. Moore explained that this agreement is negotiated to pay a monthly amount and have an agreement into the second half of the physical year and it is in the 47k range for the first 6 months he talked about overtime and special assignments.

Chief Nunez explained that the call volumes are high at 2500 calls in the city alone and he is concerned about this agreement, and it is the duty of the sheriff to help the county and he disagrees with the amount.

City Attorney Mr. Van Vleck said he thinks it deserves a better review.

Councilor Gordon said I would like to know more before making this decision.

Councilor Apodaca said I think it needs more review.

Motion made by Councilor Gutjahr to table this for further review. Seconded By Councilor Apodaca.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

Mayor Ramsell read a letter on behalf of Bill Brown with a check enclosed for \$37,699.27.

Adjourn

Motion made by Councilor Winters to adjourn 8:03pm. Seconded by Councilor Gordon. The motion carried unanimously.

Respectfully submitted,



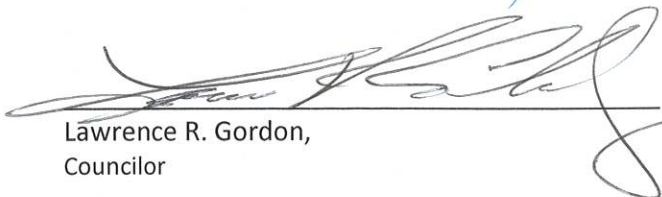
Dr. Martin Moore, Acting Municipal Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: 1-8-2024

Approved:



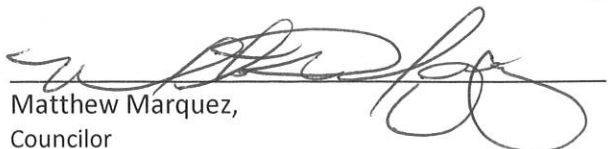
Joshua Ramsell,
Mayor



Lawrence R. Gordon,
Councilor



Arthur Apodaca,
Councilor



Matthew Marquez,
Councilor



Thomas Nelson,
Councilor