



City of Rio Communities Council Regular Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Thursday, May 30, 2024 6:00 PM

Minutes

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem - Lawrence R. Gordon

Council - Arthur Apodaca, Thomas Nelson, Matthew Marquez

Call to Order

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

Pledge of Allegiance

Councilor Nelson led the Pledge of Allegiance

Roll Call

Governing Body

Mayor Joshua Ramsell

Councilor Lawrence Gordon

Councilor Thomas Nelson

Councilor Art Apodaca

Councilor Matthew Marquez

Staff

Manager Dr. Martin Moore

Deputy Clerk Lalena Aragon

Police Chief Felix Nunez

City Attorney Randy Van Vleck

Swearing In of Police Officer Joann Urbanic

Judge Smith swore in Police Officer Joann Urbanic

Swearing In of Court Clerk Chanelle Sandoval

Judge Smith swore in Court Clerk Chanelle Sandoval

Approval of Agenda

Councilor Marquez made a motion to update the agenda to add an executive session. Seconded by Councilor Nelson.

Voting Yea:

Councilor Nelson

Councilor Marquez

Voting Nay:

Councilor Apodaca

Councilor Gordon

Motion did not pass with a 2-2 vote Mayor breaking the tie.

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

Voting Yea:

Councilor Gordon

Councilor Apodaca

Voting Nay:

Councilor Nelson

Councilor Marquez

Motion passed with a 2-2 vote Mayor breaking the tie

Approval of Consent Agenda

Approval of Minutes for Regular Business Meeting March 25,2024

Approval of Accounts Payable

Amazon Business	711.22	Century Link	78.31
TLC Uniforms	73.98	TLC Plumbing & Utility Commercial S	863.35
Tabet Lumber Co, Inc.	2,175.50	HDR Engineering, Inc.	47,167.01
Napa Auto Parts	123.92	ABC Door Company	1,429.48
Frontline Upfitting, LLC.	4,428.00	Surety Bonds	175.00
Woodlands Hardware	28.18	Maloy Mobile Storage Inc.	487.36
Wells Fargo Financial Leasing	2,635.82	Specialty Corporation	373.09
Municipal Emergency Services Inc.	888.00	Boundtree Medical	288.99
BRADY COMPANIES LLC	344.42	Blue Corn Landscape	750.00
LN Curtis	2,246.35	Linde Gas & Equipment Inc.	193.15
Sharp Electronics Corporation	4,798.55	Rentokil North America Inc.	180.58

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

Voting Yea:

Councilor Gordon
Councilor Apodaca

Voting Nay:

Councilor Nelson
Councilor Marquez

Motion passed with a 2-2 vote Mayor breaking the tie

Public Comment:

Ben Herrera: Talked about a code enforcement violation. He stated that he had met with Dr. Moore about a code violation. He stated that he had to hire an attorney to get answers and his IPRA was sent to his attorney. He asked what course of action he would have to take. He has talked to Dr. Moore and the Code enforcement between text and emails, for over 3 years and the building is still standing.

Dick Irvin: talked about a great event that he attended in Belen for a Veteran Memorial. He stated that some people gave their lives so we can have our freedom. He then stated that this is a democracy and when you voted for Mr. Yates that the City Violated the Open Meeting act by having a executive session. He stated he asked the governing body of Belen and they stated that they only have executive sessions for Personnel issues. He talked about another dispensary in the area and asked how many the City is going to allow. He stated that is disgusting to have three of the members of the governing body vote down the new members of council.

Joe: Congratulated our new officer on her new position. He stated that Rio communities is one of the best cities in the state. He stated they are building a library, rebuilding our parks, attracting new businesses creating a clean slate police department, expanding our fire and rescue capabilities and most importantly running a balanced budget and passing audits. He talked about the fire season and stated its good to see the fire department testing their equipment. He enjoyed the newsletter and stated that is a positive thing for the City. He stated that we are not a democracy, we are a constitutional republic and when we start mudding the words of what this country is we lose the meaning of who we are and there is a big difference.

Sara: Stated she has been a resident for 28 years. She read a story. There was once an important job that needed to be done and everyone was sure that someone would do it. Anybody could have done it. but nobody did. Somebody got angry about how it was done because it was everybody's job. Everybody thought that anybody could do it. But nobody realized that everybody wouldn't do it. It ended up that everybody blamed somebody when nobody did what anybody could have done. This story is called Whose Job is it Anyway. This story is told to teach leadership principles and can be interpreted to mean when no one takes responsibility and when we have internal barriers, blocking our critical thinking, nothing gets done. This story was introduced to me by my 3rd grade teacher at La Merced. She stated that this was never meant to be a retirement community and the parks were going to go away no matter what happened. She talked about the process and the time of writing a grant. She stated that we are a resilient community with everything that's been thrown at us. She s excited to see the growth and that we are a great inspiration for a small community, and she would like to welcome whoever with open arms.

An out of order discussion was held.

Public Hearing – Special Use Permit for Scorpio Farms application for Cannabis Retail

Legal description UPC 1009028306055000000 Tract: UNNUMBERED S: 16 T: 5N R: 2E 0.48 ACRE PLAT N-663, 2350 HIGHWAY 47 Rio Communities NM, 87002

Motion and roll call vote to recess Council Special Business Meeting session and to go into Public Hearing

Motion made by Nelson to go into a public hearing regarding Special Use Permit for Scorpio Farms application for Cannabis Retail. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Nathanal Cross was sworn in.

Mr. Cross stated that he is the owner of the Den/Scorpio Farms, a locally owned establishment, and is happy to contribute to economic development growth. They will create job opportunities and generate gross receipt taxes. He explained that the Den dispensary will sell locally grown organic products.

Councilor Apodaca welcomed them to the community.

Councilor Nelson welcomed them to the community.

Councilor Gordon welcomed them to the community.

Councilor Marquez welcomed them to the community.

Mayor Ramsell asked if they will be selling recreational and medicinal. He asked about GRT for medicinal cannabis and asked if they had any other dispensaries.

Mr. Cross stated this is the only dispensary they own and in a previous business they had they sold more recreational the medical.

Motion and roll call vote to go back into Council Special Business Meeting session

Motion with a roll call vote made by Councilor Nelson to go back into regular business meeting. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote at 6:39pm

Action Items

Discussion, Consideration, and Decision – Scorpio Farms Special Use Permit - Cannabis Retail

Motion made by Council Nelson to approve the Scorpio Farms Special use permit cannabis retail. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca
Manager Report

Motion passed with a 4-0 vote

Motion made by Councilor Nelson to adopt the findings and facts decision and order from Planning & Zoning. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Manager Report

City Manager Dr. Moore explained that the Animal ordinance will be coming in front of Council for the June 10th meeting.

Dr. Moore explained that the Judge requested him to bring this to Council as she will come forward with names on the next agenda for alternate Judge.

Councilor Marquez asked about Mr. Herreras public comment about a illegal structure.

City Manager Dr. Moore explained that that is under investigation and our legal council is handling it.

Councilor Marquez asked how come Dr. Moore cannot answer any questions.

City Manager Dr. Moore explained that it is under an active investigation, and he could not give any answers during this meeting.

Action Items

Discussion, Consideration, and Decision – Award of on call General Engineering Service Agreement With HDR

City Manager Dr. Moore explained that Antonio from HDR is here for any questions and explained the contract is for four years of on-call engineering services.

Motion made by Councilor Gordon to award and on call General Engineering Services Agreement to HDR. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon

Councilor Nelson

Councilor Marquez

Councilor Apodaca

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision – Transportation Project Fund (TPF) Grant Application

Dr. Moore explained that this grant application is for Don Diego road to work with HDR and DOT. The match is 5% and it is a 4.3-million-dollar grant. He explained that the city will be asking for a 5% match. He stated the city does have the ability to meet the 5% match if the waver is not granted.

Councilor Nelson asked the time frame until they get back with us on that.

Antonio stated that the deadline for the grant application is tomorrow and the deadline for response is September of this year.

City Manager Dr. Moore stated that they will be replacing the road and adding slopes to roads and looking at elevation of the roads and sidewalks and curbs on Don Diego.

Antiono stated that there is a contingency on the cost to cover any unexpected cost.

Councilor Nelson requested to add speed bumps.

Motion made by Councilor Nelson to approve Transportation Project Fund (TPF) grant application. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

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 recommended tabling this item until June 10, 2024 for the period of July 1, 2024 fiscal year.

Motion by Councilor Nelson to table this item until June 10, 2024, meeting. Seconded Councilor Gordon

Voting Yea:

Councilor Gordon
Councilor Nelson
Councilor Marquez
Councilor Apodaca

Motion passed with a 4-0 vote

Council Discussion

Councilor Marquez stated he requested a executive session because he has questions that cannot be answered outside of executive session. He thanked Dr. Moore for the Newsletter and requested that the City job announcements be put in the newsletter. He stated that they needed to be put in the Albuquerque journal and the New Bulletin. Marquez asked if the tentative budget needs to be signed by Council. He congratulated the new Officer and the Court Clerk and Scorpio Farms.

Councilor Nelson thanked Chief Nunez for hiring a new officer. He then asked Chief Nunez to be involved in the MOU for the Sheriff's department.

Councilor Apodaca was a part of the New Solar Farm grand opening south of Los Lunas and gave council some information on the Solar Farm and how they operate.

Mayor Ramsell stated in response to Councilor Marquez comments he explained that being referred to staff or others for further review does not mean questioning the staff during that time. It is referring to them at that time.

Adjourn

Motion made by Councilor Gordon to adjourn. Motion passed at 7:09pm


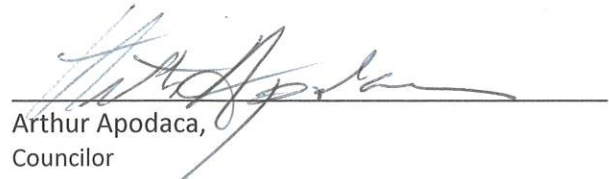
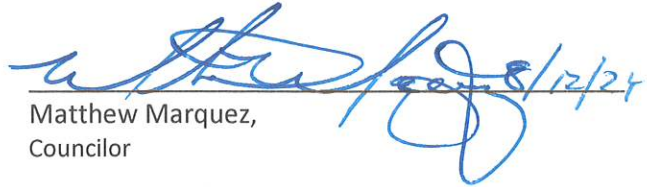
Respectfully submitted,



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

Date: August 12, 2024

Approved:


Joshua Ramsell,
Mayor
Lawrence R. Gordon,
Mayor Pro-tem/Councilor
Arthur Apodaca,
Councilor 8-R 24
Thomas Nelson,
Councilor 8/12/24
Matthew Marquez,
Councilor