



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, June 24, 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 6:06pm

**Pledge of Allegiance**

Councilor Nelson led the Pledge of Allegiance

**Roll Call**

**Governing Body**

Mayor Joshua Ramsell  
Councilor Lawrence Gordon (Virtual)  
Councilor Tomas 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

**Approval of Agenda**

Mayor Ramsell stated that he would like to amend the agenda and take out of the executive session for the purpose of 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 made by Councilor Nelson to approve the amended agenda. Seconded by Councilor Apodaca.

**Voting Yea:**

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Approval of Consent Agenda**

**Approval of Minutes for Regular Business Meeting April 22 ,2024**

**Approval of Accounts Payable**

Councilor Apodaca made a motion to approve the consent agenda as presented. Seconded by Councilor Nelson.

**Voting Yea:**

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Public Comment:**

Ron Gentry talked about the last meeting and about an issue he has with the road grant and the potential flooding. He stated at the last meeting he asked about his concerns for the potential flooding, and he has not heard anything back from the City. That is the kind of response the residents are getting from the City. He stated there are less and less people at the Meetings and he feels the residents are losing confidence in the City. He requested to meet with the engineers to talk about a liability problem he has and would like to get it straightened out. He talked about his concerns about the City not getting back to the residents. He stated that a lot of people are suffering with trying to get information

Dick Irvin asked about the fire work proclamation. He asked if there is an ordinance and if there is an ordinance, is there a time limit and a limit on how high the fireworks can fly. He stated at the last meeting there was a presentation about Up ahead Soft Ware. The City already has RC Assist. He stated that he doesn't think residents know what RC assist is and talked about how not all phones are compatible for apps. He then talked about the City needing to listen more to the residents.

**Manager Report**

City Manager Dr. Moore gave a brief update on the budget. He stated that the interim budget has been approved by the Department of Finance Administration and the third quarter report was also approved. The fourth quarter report is due in July along with our final budget. City Manager Dr. Moore gave an update on the Police Department. He stated the City has hired another officer and there is one that is about to go to the Academy. He then gave an update on the Fire Department and stated that the Fire Department has been assisting with the fires around the State.

Fire Chief Tabet explained that there has been a high volume of fires recently. The City is currently investigating two fires that were in the City. He stated they are at the State and Federal level of investigations. He explained there were unusual numbers of fires that are unexplained, not only in the City but in counties all around us. He stated that the Fire Department has provided aid on several fires around the State. He stated that there have been more fire calls than medical calls and that is unusual. He stated the Fire Department will have more of a presence in the City due to these concerns. He stated the Fire Department will be working with the Police Department on fireworks issues. The Fourth of July is a very busy time for both departments.

Councilor Marquez asked about the Firework Ordinance and times they can shoot them.

Fire Chief Tabet explained the City's ordinance and State Law both state that no aerial firework can go over 6 feet high. He explained that the Fire Department cannot chase everyone, it is impossible. If they catch someone with illegal fireworks, they can give a \$200 ticket or confiscate the fireworks.

Dr. Moore talked about Maverik coming to the Planning and Zoning meeting requesting a special use permit for the old Tillery building. He then talked about the process that Mavricks needs to take to move forward. He also stated the owner of the old car wash is talking about putting it in an RV park.

Police Chief Nunez stated that the optimist club has provided the Police Department with swim passes. They are available at the Police Department. He also talked about the Police Department having a movie night out in August. He then talked about a training that Emma Sanchez recently attended. There was law enforcement from all over New Mexico at the conference representing our State.

Councilor Marquez asked what time residents can pick up passes. Police Chief Nunez stated Monday- Friday 8am- 5pm

Councilor Marquez asked about vacant property that has squatters. Police Chief Nunez stated that they are aware of them, and they are monitoring the properties. They will be trespassed and or arrested.

Councilor Nelson asked if the Police will be patrolling with the Fire Department on the Fourth of July. Police Chief Nunez stated yes, they will be working with the Fire Department.

Councilor Apodaca thanked Chief Nunez and Chief Tabet for the pool passes and having events for the City.

Councilor Marquez asked if Dr. Moore has had an update on the Playa Vista group reimbursement of the required mailing. City Manager Dr. Moore stated that he hasn't seen a check yet but will look into it.

Councilor Marquez then asked about the land in Chamisa that is being used for dumping. City Manager Dr. Moore stated that the City is working on it.

Councilor Marquez asked about unoccupied land the City owns and doesn't have any plot information on. City Manager Dr. Moore stated that regarding that land, the City is still digging for the documentation that is requested.

Councilor Marquez asked about the progress of Horner and the large boulders the Council approved to purchase. City Manager Dr. Moore stated that the City will be working on it after the new fiscal year.

**Discussion, Consideration, and Decision – New Mexico Department of Transportation Road Grant Agreement**

City Manager Dr. Moore explained the City was able to get another grant and this is for a piece of Damon St. that ties on to Horner. He explained that there is a 25% match from the City. He stated that this has been included in the budget.

Motion made by Councilor Apodaca to approve of New Mexico Department of Transportation Road Grant Agreement. Seconded by Councilor Nelson.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Discussion, Consideration, and Decision – Continuing Beasley and Mitchell Company Accounting Services**

City Manager Dr. Moore explained that Beasley and Mitchell Company have a team of 3 or 4 individuals that have been working on the budget, payroll, journal entries and other financial needs for the City. He requested that the City continue this contract until a Finance Director can be hired. He explained that if the City does hire a Finance Director, the contract can be terminated.

Dahlia Garcia stated that if the City does hire a Finance Director, they would terminate the contract or train them if they are not qualified. She then gave an update on all the work they have completed.

Motion made by Councilor Apodaca to approve Continuing Beasley and Mitchell Company Accounting Services up to \$59,999. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Discussion, Consideration, and Decision – Resolution # 2024-XX that would Implement the Amendments to the Personnel Policy Manual**

City Manager Dr. Moore explained that a liability on the books is excess leave. He explained that the City Attorney has amended the personal policy and one of the things amended is a cap on compensatory time. Employees can cash out excess leave but must keep at least 40 hours of vacation leave.

There was a discussion.

Motion made by Councilor Marquez to table this until this gets fixed. Seconded by Councilor Nelson.

There was a discussion.

Voting Yea:

Councilor Nelson  
Councilor Marquez

Voting Nay:

Councilor Gordon  
Councilor Apodaca

Motion failed with a 2-2 vote Mayor breaking the tie voting nay.

Motion made by Councilor Gordon to table this until the end of the meeting. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Apodaca  
Councilor Gordon

Voting Nay:

Councilor Nelson  
Councilor Marquez

Motion passed with a 2-2 vote Mayor breaking the tie voting yea.

**Discussion, Consideration, and Decision – Payout of Vacation and Compensatory Time**

Motion made by Councilor Gordon to table this matter till the end of the meeting. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Apodaca  
Councilor Gordon

Voting Nay:

Councilor Nelson  
Councilor Marquez

Motion passed with a 2-2 vote Mayor breaking the tie voting yea.

**Discussion – Memorandum of Understanding Between the City of Rio communities and the Valencia County Sheriff Department**

City Manager Dr. Moore explained that there have been some changes to the agreement, but the dollar amount is the same as last fiscal year. He thanked the Sheriff's office for all their help.

There was discussion.

Motion made by Councilor Nelson to approve Memorandum of Understanding Between the City of Rio Communities and the Valencia County Sheriff Department. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Discussion, Consideration, and Decision- Approval to Hire Executive Recruiting Firm for Municipal Clerk & Finance Officer**

City Manager Dr. Moore explained there was discussion in the workshop about the dollar amount.

There was a discussion.

Motion made by Councilor Marquez to approve the Hire of an Executive Recruiting Firm for Municipal Clerk & Finance Officer up to \$18,000. Seconded by Councilor Nelson.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Discussion – Memorandum of Understanding Between the City of Rio Communities and Valencia County for Addressing Services**

City Manager Dr. Moore explained that the County is requesting an MOU to assist with addressing. They will not assist with addressing until an MOU is in place.

There was a discussion.

**Council Discussion**

Councilor Marquez asked about the Goodman project or any changes in the drainage and if the City is looking into another grant to help cover the cost City Manager Dr. Moore stated that they are working with the engineers for a scope of services to bring back for discussion.

Councilor Marquez asked if Mavrik has purchased the land. City Manager Dr. Moore stated that he isn't aware of any property purchase and explained the process.

Councilor Gordon stated that the community has been waiting for that property to be developed and is glad that Mavrik has come forward.

Councilor Nelson asked about the Legislative Junior Bill and asked what the City has received. City Manager Dr. Moore explained that public works safety equipment and vehicles, public safety vehicles have been approved.

Councilor Nelson asked about My Civic and requested that they do training for the City. He then talked about gravel that the City has laid. He stated that some of it is up to fence and thinks this is a misuse of government funds.

Councilor Apodaca stated that he is happy to hear that Maverick is moving forward.

Mayor Ramsell wished everyone a Happy Fourth of July.

**Executive Session - For the purpose of Discussion of Complaints Against the City Manager and the Assistant to the City Manager pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters**

**Motion and roll call vote to go into close session.**

Motion made by Councilor Nelson to go into executive session for the purpose of Discussion of Complaints Against the City Manager and the Assistant to the City Manager pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters with a roll call vote. Seconded by Councilor Marquez.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote at 7:49 pm.

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

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Motion made by Councilor Apodaca to back into regular businesses meeting session. Seconded by Councilor Nelson.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote at 9:47 pm.

**Welcome everyone back and statement by the Mayor:**

Motion made by Councilor Nelson to accept the statement as read by the Mayor. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote at 7:49 pm.

Mayor Ramsell stated that the Council will now open the items that were tabled.

There was a discussion.

Motion made by Councilor Nelson to approve Resolution # 2024-XX that would Implement the Amendments to the Personnel Policy Manual with the recommendations of legal counsel. Seconded by Councilor Marquez.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

Motion Made by Councilor Nelson to amend the payout compensatory time up to 200 hours and to pay out vacation time but keep 60 hours. Seconded by Councilor Marquez.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Adjourn**

Motion made by Councilor Nelson to adjourn. Seconded by councilor Apodaca. Motion carried at 10:16 pm.

Respectfully submitted,



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

Date: 9/23/24

Approved:

  
\_\_\_\_\_  
Joshua Ramsell,  
Mayor

\_\_\_\_\_  
Lawrance R. Gordon,  
Mayor Pro-tem/Councilor

  
\_\_\_\_\_  
Arthur Apodaca,  
Councilor

Thomas Nelson 9-23-24  
\_\_\_\_\_  
Thomas Nelson,  
Councilor

\_\_\_\_\_  
Matthew Marquez,  
Councilor