



City of Rio Communities Council Special Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, October 21, 2024 7:30 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 7:31 pm.

Pledge of Allegiance

Councilor Apodaca led the Pledge of Allegiance

Roll Call

Governing Body

Mayor Joshua Ramsell

Councilor Lawrence Gordon

Councilor Arthur Apodaca

Councilor Matthew Marquez

Staff

Manager Dr. Martin Moore

Deputy Clerk Rachael M. Howe

Police Chief Felix Nunez

Fire Chief Andrew Tabet

City Attorney Randy Van Vleck

Approval of Agenda

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

Voting Yea:

Councilor Gordon

Councilor Marquez

Councilor Apodaca

Motion passed with a 3-0 vote

Public Comment:

Dick Irvine (Western Dr.) spoke about the Roadrunner event sponsored by H2R and encouraged everyone to go. Dick opposed the city taking on the maintenance of the bypass road, stating the City can't afford to pay the police chief and others. That was all he wanted to say.

Action Items

Discussion, Consideration, and Decision – Amendments and Extension for Beasley Mitchell & Company Contract – scope of service and not to exceed cost.

Dr. Moore introduced Dalhia the team lead with Beasley Mitchell. Dr. Moore also stated that we have a couple of applicants that will be scheduled for an interview at the start of next week. Dr. Moore reviewed the cost and the amount of \$80 K as the amount not to exceed. Dr. Moore also stated the Beasley Mitchell will be preparing W-2's, W-9's, ensuring general ledgers are taken care of and all the

additional things that go along with the mid-year report. Additionally, Beasley Mitchell is working on the 1st Quarter report. Dalhia wanted to add that Beasley Mitchell is also doing bank reconciliations, payments on payroll items, payments that need to be paid out to the IRS, quarterly reports, and final items on budget. All these things have been caught up. Dalhia stated that payroll is most crucial. Beasley Mitchell is averaging a cost of about \$20K per month. Her average billing is \$400, and she is bringing it down to \$160 to ensure that it stays cost effective for the city. Dalhia also stated that Beasley Mitchell will also help train and new person that the City brings in to take over the finance roll.

Councilor Marquez questioned the contract with a concern that it will only cover 4 months and that would leave 2 months not covered. Dalhia stated the goal is to have someone in place in the next 4 months. Councilor Marquez noted that the new contract has more monthly tasks and is that factored into the new cost. Dalhia answered yes. They just wanted to outline in a little more detail about what duties they are performing. Councilor Marquez asked Dr. Moore how many people we have to interview. Dr. Moore stated that there are two. Councilor Marquez asked how we received those applications and Dr. Moore replied we received them directly.

Motion made by Councilor Gordon to approve amend and extend Beasley Mitchell & Company Contract and not to exceed cost \$80K. Councilor Apodaca seconded the motion.

Voting Yea:

Councilor Gordon
Councilor Marquez
Councilor Apodaca

Motion passed with a 3-0 vote

Discussion, Consideration, and Decision – Resolution 2025-XX- Amending Section 8.4 (work periods), section 10 (A & D) (calculation of overtime), Section 10(E) (compensatory time cap) and Section (H) (termination, resignation, retirement) of the Personnel Policy Manual.

Attorney Randy Van Vleck addressed the council on the sections of the current personnel manual that will need to be established or passed to implement the 14-day work period for both police and fire. This would mean it's an 80-hour work period instead of a 40-hour work period. Randy went on to state that it will set a higher threshold before overtime would kick in. For law enforcement it's 86 and for fire it's 106 hours.

Councilor Marquez had a question on Section 10 (E), amending compensatory time to increase it to a maximum of 160 hours of comp time from the current 120 hours of comp time. Councilor Marquez stated he would like to keep it at the 120 cap. Randy stated that the Federal Fair Labors Act is a standard maximum of 480. Councilor Marquez restated he would like to keep it at the 120 cap. Randy informed the council that if they should set the cap lower, when the employee hits that cap amount, the city will then have to pay whatever they go over out in cash every two weeks. Mayor Ramsell stated that either way the City will have to pay it out. The question is whether it will be sooner or later.

Councilor Marquez requested that if this gets approved, they can get a clean copy of the policy. Dr. Moore agreed to supply the council with a cleaned-up policy. Mayor Ramsell asked if the paid-out amount must be the same as the cap. Randy said it doesn't matter. Dr. Moore reviewed what will happen after they hit the maximum comp time that the remaining time will be paid out as over time at time and a half.

Dr. Moore stated that the City has to do something to take care of a liability. Mayor Ramsell asked if there is a limit on the amount of comp time an employee can use at one time. Randy answered no. It's a matter of can the City do it depending on the amount the individual is requesting. Dr. Moore said the City is not going to have high levels of comp time any further.

Councilor Gordan asked to hear from the two Chiefs. Fire Chief Tabet said 160 or 120 doesn't matter to him. Either way speaking for himself he's willing to do whichever. Police Chief Nunez stated there's no right or wrong answer. Chief Nunez said in reality there is no time that they (chiefs) can take off. Police Chief Nunez mentioned that if they hire more people means the city doesn't have to pay out as much comp time. Chief Nunez suggested leaving the cap high.

Councilor Marquez believes that it will be easier to track it if it's done biweekly and kept lower.

Mayor Ramsell asked how many employees the City currently have that earns comp time. Dr. Moore stated that there are 5 people.

Councilor Gordon asked if the City could set a scheduled for payout on comp time for twice a year. Once in the spring and once in the fall. Dr. Moore said sure.

Mayor Ramsell stated that the council can amend this at any time. He also stated that he felt they should keep it at the 120 maximum cap.

Randy suggested setting the cap at 120 with no cap on payout and the employee can come to the City when they want it. Mayor Ramsell reviewed that Section 10 (E) should stay at 120 hours of comp time and under Section 10 (G) striking out the last line as the proposed changes. Dr. Moore stated that 10 (H) will also have the last line stricken.

Motion made by Councilor Apodaca to approve the recommendations for resolution 2025-XX- Amending Section 8.4 (work periods), section 10 (A & D) (calculation of overtime), and changing Section 10(E) (compensatory time cap) from 160 hours to 120 hours.

Councilor Gordon seconded the motion.

Voting Yea:

Councilor Gordon
Councilor Marquez
Councilor Apodaca

Motion passed with a 3-0 vote

Discussion, Consideration, and Decision – Payout of Vacation Leave and Compensatory Time.

Dr. Moore stated that one issue had been raised about the floor of vacation time being 60 hours. Councilor Marquez stated that if they already approved resolution 2025-XX they would not be able to approve changing the floor of vacation time. Mayor Ramsell asked that the cost would be less if an employee were to ask for a lump sum payout. Dr. Moore stated that he didn't have the answer for that, but the numbers presented to the council are the proposed max or potential cost. This is cost in terms of wage.

Motion made by Councilor Gordon to approve Payout of Vacation Leave and Compensatory Time.
Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon
Councilor Marquez
Councilor Apodaca

Motion passed with a 3-0 vote

Discussion, Consideration, and Decision – Approval of City Council Findings and Decision for Billy Baca application for Special Use Permit for a RV Site Legal description UPC 100902842306000000 Subd: LAND OF FRANK SEMINARA Tract: A1 0.69 ACRE 1987 SPLIT/2009 REV (RAINBOW CAR WASH) 4 MANZANO EXPY Rio Communities NM, 87002, UPC 100902843506000000 Legal Description Subd: LAND OF 16B FRANK SEMINARA Tract: A2.87 AC MAP 102 2009 REV/1987 SPLIT D-5-16B

Council Discussion

Council Marquez asked where the Minutes and Accounts Payable are and why aren't they on the agenda. The last minutes for approval were for May 30th.

City Manager Dr. Moore explained we can provide them for you at the next meeting.

Council Marquez asked if the Rio Communities signs be replaced on the brick structure by Nancy Lopez. He then asked about the new hires and asked if the Council could meet them.

City Manager Dr. Moore replied that yes, the signs will be replaced. They asked that brackets be placed so the signs can be rehung.

Councilor Marquez reviewed how many new hires the city has made and if there are going to be more.

City Manager Dr. Moore confirmed there is a new temporary person in finance, the City has Rachael Howe, and Police Chief Nunez also has a new employee, and we have one more coming in.

Councilor Marquez requested the number of applicants that have applied for Municipal Clerk.

Dr. Moore affirmed that he would get that for him.

Councilor Marquez also inquired about the municipal recruiting firm. When did we submit, and what did we hear back from them.

City Manager Dr. Moore explained we don't have a contract with one specific firm, but the company that was most responsive was called the SGR Group. The company does not just have a flat fee. They have an a la carte type setup where the customer can pick and choose what works best for their needs.

Councilor Marquez asked about the progress on Don Diego.

City Manager Dr. Moore stated that the city put in a 4.3 million dollar grant for that road which is still in review. No awardees have been announced yet. DOT said that the City should know possibly sometime in September.

Councilor Marquez asked for an update on the property he has discussed. There has been some construction going on. Could the City ask the property owner to water it down to keep the dust down.

City Manager Dr. Moore replied that the City had not heard back from them on whether they watered it down only that they did want to be good neighbors.

Councilor Marquez asked about the dumping area and if there were plans to move it.

City Manager Dr. Moore responded that they are dealing with three different things. The City has green waste, that he personally is hopeful that Universal Waste can help with by adding some things that they can do. But really, it's a situation of getting a removal schedule and price to get that stuff out of there

Councilor Marquez asked about the veteran's memorial park and requested some special workshops

Councilor Nelson said that he was in Phoenix over the weekend, and he had the opportunity to speak with Maverik and they said they might be willing to make a memorial in the corner of the property.

Councilor Apodaca stated that he could give them an update on the property where they originally talked about putting the memorial that already has a flagpole on it. It is private property. The property needs some maintenance, cleanup, and repair. There is also electrical running up into the half wall because it used to light up the flag. That would need to be addressed. Maybe use a solar light to light up the flag to eliminate the cost of an electric bill. The site itself needs some landscaping and cleanup. The landowner asked that he put a proposal together, which he did and presented to the Council at one of the previous meetings illustrating what it would look like with the flag, half wall, and sign. The City could ask the property owner to donate the area to the city or maybe a lease agreement like a dollar a year. That would allow the City to bring it up to speed. Councilor Apodaca is with Councilor Nelson in that looking for another property would be a more permanent place. Maybe people could park and walk up to it. If the city were to use the private property it would only allow for the memorial to be a visual site as people couldn't park and walk up to it.

Councilor Nelson asked Police Chief Nunez how the process of hiring a new officer was going.

Police Chief Nunez stated that it was successful and that they have offered the officer the position. Hopefully by the next Council Meeting they will have her ready to be sworn in.

Councilor Nelson stated that was really all he had and thanked Police Chief Nunez and his team for helping with the National Night Out.

Councilor Apodaca asked about an update on the City zip code.

City Manager Dr. Moore stated everyone keeps passing the buck at the congressional level.

Councilor Apodaca asked about a pictorial history they had talked about for the City. He believes it's important for the City to have one. Since Rio Communities is a young City, they need to start now.

Councilor Marquez requested the City to start advertising for Planning and Zoning commissioner applications.

Councilor Nelson had a question on the Keep America Beautiful grant. Have they told the City the amount they were awarded.

City Manager Dr. Moore replied that he had not heard yet, but he would follow up to see if he could find out.

Mayor Ramsell stated the postal service was readjusting their routes including rural routes, so people may see new carries. They are reducing the number of carriers due to them continuing to reduce expenses as an organization overall.

Adjourn

Motion made by Councilor Marquez to adjourn. Motion carried at 7:27pm.

Respectfully submitted,



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

Date: 11-12-2024

Approved:



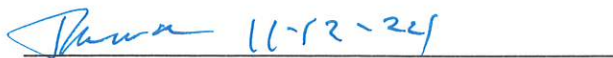
Joshua Ramsell,
Mayor



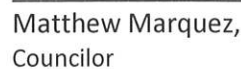
Lawrence R. Gordon,
Mayor Pro-tem/Councilor



Arthur Apodaca,
Councilor



Thomas Nelson,
Councilor



Matthew Marquez,
Councilor