



**City of Rio Communities Council Workshop**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, February 14, 2022 3:00 PM**  
**Minutes**

*Please silence all electronic devices.*

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**Call to Order**

- Mayor Joshua Ramsell called to order the regular workshop at 3:00 pm.

**Attendees**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro tem Peggy Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon and Councilor Jim Winters.  
Present: City Manager Dr. Martin Moore, Municipal Clerk Lisa Adair, Finance Officer Stephanie Finch (virtual), and Public Works Director Gordon Reeves (virtual).

**Accounts payable report**

- Finance Officer Finch went over all items over \$500.00; 3 accounts for GSD in the amount of 13, 217.37; 2 accounts for TLC in the amount of \$4,209.97; NM Gas in the amount of \$1,863.42; Comcast Business in the amount of 521.27; Verizon Wireless in the amount of \$543.19; Marty's Muffler Shop in the amount of \$600; Boundtree Medical in the amount of \$2,424.28; Ortega and Sons Propane in the amount of \$508.29; Rays Fire Extinguishers in the amount of \$743.99; NM Gas in the amount of \$1,302.28; PNM in the amount of \$ 840.92; 2 accounts for 411 Equipment in the amount of \$9,205.68; WEX Banks in the amount of \$796.76; Wagner Equipment Co. in the amount of \$2,186.81; Verizon Wireless in the amount of \$690.26; Penguin Management, INC in the amount of \$1,667.00; Boundtree Medical in the amount of \$1,376.37; HEI, Inc in the amount of \$1,748.59.
- Councilor Gordon asked about the electricity for Tierra Grande in the amount of \$840.92.
- Finance Officer Finch said the amount is for Rio Grande Estates, and then explained that Tierra Grandes electricity is in the amount of \$232.45. She then explained in the winter months the electricity and gas bills are higher do to keeping the water from freezing.
- Councilor Apodaca asked the expenditures for the fire truck are those part of that \$40,000.
- Finance Officer Finch explained that the Fire Department thought they had enough hose and further examination saw the hoses they had were not going to pass the hose safety check, but was not part of the \$40k.
- Councilor Gutjahr asked about the TLC transaction and if this was the first time we replaced the blower.
- Finance Officer Finch said since she has worked here she does not recall having a blower replaced.
- Public Works Director Gordon Reeves explained he requested TLC to give an update and each unit they have worked on so they can track the cost of unit to see how much it would be and if they need to talk to the City Manager for replacement. He did explain since he has been working here this was the first time the blowers have been replaced.
- Mayor Ramsell explained how the Fire Department has some concerned about lead times on acquiring equipment, so they have been looking into having additional replacements in case of an emergency.

- Councilor Apodaca asked if the additional equipment had been placed on the truck or if it was delivered on the truck as is and are we still in the process of ordering more equipment.
- Manager Dr. Moore said he talked with the Fire Chief and explained that the new hose is in back order. They were able to pick it up with the amount they needed. Regarding the new truck they understand it is new and the parts are still coming in. With inspections coming up we want to make an impression.

#### **Expenditures for Grant #20-E2799 information technology and infrastructure improvement for a library**

- Finance Director Finch explained we have been approved of a \$10k grant for the technology and infrastructure improvement of the library and she then started explaining what we would like Council to approve starting with; a new printer costing \$2,153.15 for the public as well as charging a small fee per pages; a new PC for the new librarian costing \$1,670.98; a 70-inch AQUOS Smart Board with Rolling Cart costing \$6,146.47. She does understand it will be \$150 over the grant but will be paying the other portion out of the libraries general fund.
- City Manager Dr. Moore explained what the library board is moving along with the bylaws and anticipating in opening in late April early May and they think this is a good thing and need to get this taken care of also after talking with staff these are appropriate for the library.
- Councilor Gutjahr explained we have till June 2024 for reversion of budget.
- Manager Dr. Moore said correct, we do have time but wanted to get it done to get the library open.
- Councilor Gutjahr said this is good that it is getting done this early.
- Councilor Winters said it would be nice to acquire an oversize printer that can print large pages, and maybe down the road we can work this in.

#### **Presentations**

##### **NMEDD - Max Gruner - LEDA funding**

- ❖ Mr. Max Gruner started his presentation on Project Incentive for Economic Growth. He started off explaining he handles out of state businesses wanting to expand to New Mexico and how working with the company is beneficial.
- ❖ Ralph Mims explained using the Village of Los Lunas's Facebook used IRB and used a pilot payment since we are in a rural community, we did a 30 year IRB for property taxes and said it is a great tool for Facebook.
- ❖ Mr. Gruner continued with his presentation on LEDA explaining the 1st program - classical LEDA, which only supports manufactures, and non-retail service provisions to which 50% or more have to come from out of state. We call classical LEDA a grant, a little bit of a misnomer for 2 reasons, #1) it's a reimbursement for LEDA eligible expenses, #2) grant secure for the contract. Mr. Gruner said there is an amendment to the LEDA statute, the State is able to engage in a government to government to support shovel ready infrastructure improvements. The land upon which this infrastructure needs to be government owned.
- ❖ Manager Dr. Moore asked is classical LEDA cover land and infrastructure or just infrastructure.
- ❖ Mr. Gruner explained this is only for direct construction cost associated with the development of infrastructure on a government owned business park.
- ❖ Manager Dr. Moore asked would this include for example say the City wants to include land for an industrial park to build a Fire Station or a Fire Substation would this help.

- ❖ Mr. Gruner said with this particular statute this is money for economic development, would we use it for an industrial park “yes” would we be able to help with the infrastructure for the Fire Station ‘probably not’.
- ❖ Councilor Winters explained a scenario we have a private water company that owns no land other than where their wells are, we have large parts of the City where we cannot develop due to no sewer lines, would that LEDA qualify if we wanted to develop that part of the City.
- ❖ Mr. Gruner said when you ask that type of question he would answer maybe and then explained we would have a ton of conversation’s so I will have to come back.
- ❖ Mr. Gruner said the 2nd amendment that was passed in 2020, which leads into our 2<sup>nd</sup> program which lets us be able to use LEDA dollars to support retail in communities for fewer than 15,000 but cannot support direct competition, we will need to make an assessment stating no competition between businesses will happen. He then went on by saying the legislative intent was for rural deserts to have grocery stores come in but there are only a select few national umbrella organizations that have grocery stores, we have yet to find a rural community that is able to attract a grocery store, and in their perspective, they don’t think its worth the risk.
- ❖ Ralph Mims gave an example by stating what if John Brooks wanted to come to Rio Communities it is an example of a privet operator that can take advantage of our retail LEDA.
- ❖ Mr. Gruner said there is nothing in the Statue that ultimately runs the retail establishment.
- ❖ Ralph Mims said he does not like the 100 miles do to having Walmart and Lowes in Belen, then asked what would LEDA pay for.
- ❖ Mr. Gruner said the problem we are going to have would it be worth the investment to put a grocery store in Rio Communities is the commute. He then said it will pay for what classical LEDA will pay for.
- ❖ Mr. Gruner said the very first of this LEDA breakthrough is a ranch and feed store.
- ❖ Mr. Gruner said if we have big projects in excess of \$350 Million there is a GRT share 5% goes back to the company so it’s a huge attractor.
- ❖ Mr. Gruner said singled sales factor for the State of New Mexico, manufactures can choose to only be taxed in the state.
- ❖ Councilor Gordon asked if big business know about this in advance or do, we have to inform them of this.
- ❖ Mr. Gruner said he is just educating and to be aware of this information.
- ❖ Councilor Apodaca asked to seem to be hitting a brick wall in the grocery store department, how often do you target approaching grocery chains to see if there is any change in building a supermarket.
- ❖ Mr. Gruner said it needs to be driving by the community, so we do what ever the community calls for.
- ❖ Mr. Mims asked could a letter from the Council and the Mayor, go to the potential companies.
- ❖ Councilor Gordon asked about opportunity zones.
- ❖ Mr. Gruner said opportunity zones are mainly federal mechanism that allows for investors, yes, they would love to do that, because it is a federal, not a lot of places to come into the conversation.
- ❖ Councilor Winters said we have a current LEDA ordinance and then asked do they have a template to be able to change the LEDA to make it incompliance with the new rules.
- ❖ Mr. Gruner said he does not have something available.
- ❖ Councilor Apodaca asked Mr. Mims if he has any history on the last time a grocery chain was approached by Rio Communities.

- ❖ Mr. Mims said we have not approached a grocery chain but have a second party that was looking at location but are not expanding.
- ❖ Councilor Winters said about 2 years ago we were extremely proactive in that category and approached everybody the only one who showed interest was Aldi's.
- ❖ Mr. Mims asked about brewery's can we look at that seriously for Rio Communities.
- ❖ Mr. Gruner said they do consider them as manufactures.
- ❖ Councilor Gutjahr stated that Dollar General is expanding and is a great way to market for a grocery store.

### **Budget Calendar for FY 2023**

- Manager Dr. Moore said we are going to start the budget process administratively, this Thursday we have a department head meeting, and give the departments till March 3<sup>rd</sup> for their budgets. He then explained we will be looking at special workshops possible an additional workshop if needed for training for a walk though on the budget. He let Council know the budget hearing is in the middle of April and the goal is to mark an extra meeting on April 25<sup>th</sup> because on May 9<sup>th</sup> is our goal to bring the budget forth with approval. He did state he believes there will be more grant funds in the budget this fiscal year then last year which may result in reimbursement.
- Councilor Gutjahr said it would be good to have a little more understanding on what you can do and cannot do with the budget since we do have 2 new Councilors.
- Manager Dr. Moore then asked would it be ok to add on the March 14<sup>th</sup> meeting for introduction on the budget calendar, and time permitting can get into revenue and finish in a different Council meeting.
- Municipal Clerk Adair stated if the April 7<sup>th</sup> Special Workshop still a go but is a P&Z meeting night as well.
- Mayor Ramsell said yes, but if it is a conflict, we can move it to April 6<sup>th</sup>.

### **Resolution 2022 - XX 506 Hermosa Street**

- Public Works Director Reeves said he has been in contact with the owner and would like to announce the property is cleaned up and now are working through CID through the State to rebuild a new structure on the new foundation.
- Manager Dr. Moore said we do not need a resolution now.

### **Purchase of Public Works vehicle with a lift gate**

- Manager Dr. Moore explained that the Tahoe is falling apart. There has been issues with the catalytic converter and muffler was stolen, also issues with the engine, transmission, followed by electrical and air conditioning, cost of repairing is not worth it. Talking with the Finance Director we have the funds to get a vehicle. They would like to get a 4x4 3ton to be able to go out in the sand but also a diesel engine upgrade to increase towing compacity.
- Councilor Winters asked if this was purchase or lease.
- Manager Dr. Moore said we are recommending a purchase for this vehicle due to modifications.
- Councilor Gordon asked where the vehicle would be stored.
- Manager Dr. Moore explained where we can put it behind City Hall and stated that they have already measured to where they will be able to add a fence and still have access to the Mouse Lounge and the Senior Center.
- Councilor Gordon asked how long it would take to get the truck.

- Finance Officer Finch said it is 6 to 8 months out, but it might be longer than that due to chip shortage.
- Manager Dr. Moore said he has faith in staff to find a truck quickly and will be looking at state prices.

#### **Purchase of Public Works heavy equipment**

- Manager Dr. Moore explained this is an introduction to Council. This would be the first equipment for the department with different attachments and give us multiple uses. We have been looking for this specific equipment to be easily stored and should have something at the next meeting. We need to start being able to mow our own rights-of-way especially around our own buildings and properties.
- Councilor Gutjahr has asked if we have gone to the State to look at equipment that is used but slightly cheaper.
- Manager Dr. Moore said yes, we have been looking into those as well.
- Councilor Apodaca asked in the past do we contract out the mowing etc., so the cost would go to this piece of equipment instead.
- Manager Dr. Moore said every bit we have contracted out and every bit will be in house so yes it will help our cost savings.

#### **MRCOG Boards and Committees**

- Manager Dr. Moore explained there are 4 MRCOG with 1<sup>st</sup> is Board of Directors, 2<sup>nd</sup> is Metropolitan Transportation Board, 3<sup>rd</sup> is Transportation Coordinating Committee, 4<sup>th</sup> is Technical Planning Group these directly deal with the roads. We also have Rio Metro Board that deals with the public transportation such as the Rail Runner and Rio Metro.
- Councilor Winters said one other board is the Water Board we've never participated with them before and always felt we can benefit from them.
- Councilor Gutjahr said there is a meeting every other month with the Local Transportation Board it's a combination with Rio Communities, Los Lunas, The County and Belen which talk about projects. Board of directors is generally the Mayor/Mayor substitute and an alternate, but both of these groups tend to want the Mayor and the Mayor substitute.
- Mayor Ramsell asked Council if there were any specific board they would like to be a part of.
- Manager Dr. Moore explained what each board deals with starting with Board of Directors which mainly deal with board policies, legislative priorities, budgets, overall performance of the staff and also the financial audit. Transportation Board they take everything that comes from the Water Board, and Transportation Coordinating Committee and deal with anything transportation related. Rio Metro deals with everything transit.
- Mayor Ramsell explained that the committee does the planning, and they report to the board for final decision.
- Councilor Winters explained that all work goes through the committee, and they are the people who know how to put all the projects together and report everything to the TCB.
- Councilor Gordon said his area would lie in the Metro transportation and Rio metro.
- Councilor Apodaca said he would volunteer for the Water Board.
- Councilor Gutjahr said she would be able to be part of the Local Transportation and Board of Directors and Metro Transportation Board.
- Mayor Ramsell said would one prefer to be the alternate or the primary for the Metro Transportation Board.
- Councilor Gordon said he will be the alternat and Councilor Gutjahr can be the primary.

- Manager Dr. Moore asked who is the alternate and primary for the Technical Planning Group.
- Mayor Ramsell said he has Councilor Gutjahr and Mr. Moore for that group, this started a discussion.
- Councilor Gutjahr asked about the bi-monthly meeting Local DOT area and stated that Manager Dr. Moore is listed as the alternate.
- Manager Dr. Moore then stated that finally after a year they put him on the list and continued the discussion.

#### **LEDA Ordinance**

- Manager Dr. Moore said he is seeking direction from Council to move forward with the LEDA ordinance that includes the retail and the government-to-government amendment as well.
- Councilor Winters said he is wondering who has an updated one and need to make sure it is updated.
- Mayor Ramsell said maybe this is worth reaching out the Chris and to see if they have done anything before.

#### **Uniform Traffic Ordinance amending city wide speed limits (Manager/Council)**

- Manager Dr. Moore said this is on the agenda because he would like to know what speed limit Council would like to set city wide.
- Mayor Ramsell said his personal experience is 20 mph seems reasonable from what he has seen in the past week and school zones are normally set at 15 mph.
- Councilor Apodaca asked if its for residential streets.
- Mayor Ramsell stated yes just residential street, and the main reason for that is so everyone in town knows if we have the same speed limit city wide then everyone knows what the speed limit will always be.
- Councilor Gordon said he feels 25 for the roads which is the average for most cities, plus most drivers are going to be doing 25 anyways, and have something different when you approach the city.
- Councilor Winters said how are we defining school zones, and how are we defining bus stops, should we just have one speed.
- Manager Dr. Moore said if one area is known that its children at play, and needing to identify bus stops better, we can have a list and which with these areas if we need a different one we can amend and make it to where we can vote on it. State highways you can have it at 40 and can slow down in your business areas lower to 30/35 you can. He then went on by saying you still have to get recommendations with DOT but can consider these.
- Councilor Gutjahr said in her area 25 would be pretty fast for children to play. And coming around the cul-de-sacs should be lowered.
- Councilor Apodaca said he likes the idea. typically, if you have a speed limit, they will go 5 over, he would be comfortable to be at 20 then they will be at 25 so hopefully the majority will be in that range.
- Mayor Ramsell said the bus stops fluctuate and over the last few years they have been consistent but just depending on where the kids live, and how long the buses will park there.
- Councilor Apodaca said what would also help is traffic strips or bumps and if we do implement these more around the city that's also going to help maintain and slow down traffic and continued the discussion.
- Councilor Winters said there should not be more than 2 speed limits throughout the community.

- Councilor Gutjahr said what will happen with the children at play signs when the children do grow up.
- Mayor Ramsell stated that the signs are able to be put on and off easily, and then explained that asking the community if they want a children at play sign to let us know due to the fact we don't know where everyone lives and who all lives on the street, this continued the discussion.

#### **Assistant to the City Manager**

- Manager Dr. Moore said he has several projects and services that we are moving forward such as the library and the youth programs, in addition we have continued efforts with grants last year we started with 13, ended with 13, after we have completed 9 of the original 13. So, our goal this year is to the 13 off the books. An assistant to the City Manager could fill the planning and compliance responsibilities until the position of Planning and Compliance Officer is filled. He then said he is trying to find a way for these projects to move forward in addition to help the library with staffing and maybe bring temporary help along the way. With money available and positions not filled hopefully this is a way to help with our needs right now.
- Mayor Ramsell stated that this position is an assistant to the City Manager not Assistant City Manager.
- Councilor Winters said we have been talking about this for many years and we just didn't have money and he thinks we haven't even moved into the large branch yet and we need to go there.
- Councilor Gutjahr said this has been ongoing and said suggested that Councilor Brown had suggested at one time an internship with Master of Communications and UNM has this but excellent at doing projects but for having large projects maybe this can be revisited.
- Councilor Gordon asked would the assistant be like a utility person.
- Manager Dr. Moore said yes.

#### **Public Comment**

- Manager Dr. Moore read a public comment that was brought to Council from Tommy Westmoreland.
- Question: What is the status of the \$250k grant for parks.
- Manager Dr. Moore said all of the grants have been received as soon as we have piece of property and then move forward.
- Question: What is the status of what side the park will be built.
- Manager Dr. Moore replied there are issues relating to acquisition that I cannot address in public but there are things going on.
- Question: Is the site available for public inspection.
- Manager Dr. Moore replied there is no action that we are aware of at this time.
- Question: Status to hiring a Code Enforcement Officer.
- Manager Dr. Moore replied We've had not have any applicates that fell between the salary range we were looking for.
- Question: Status of hiring a public works employees.
- Manager Dr. Moore replied we have 3 applicants, and none interviewed right now but hopefully by the end of this week or end of next week.
- Question: Status of hiring a Fire Chief.
- Manager Dr. Moore replied we have had 8 applicants that met the qualifications, 2 have been interviewed, other 4 will have a zoom interview, and then a committee will be lead with Council.

- Question: Have you talked with other City Managers.
- Manager Dr. Moore said yes, I have, we have constant communication.
- Question: Public works vehicle.
- Manager Dr. Moore replied yes, we put out a request to City Council and a truck, something that can handle both pavement and sand.
- Councilor Gordon asked if any fire vehicle can be repurposed to feel the need to save the city money.
- Manager Dr. Moore said the short answer is we have a vehicle in mind and will come back with a formal proposal for Council.
- Mayor Ramsell explained you have to make sure it's used in an emergency situation, because the Fire Marshall doesn't take kindly of certain situations.
- Question: cost vs old and new
- Manager Dr. Moore replied you get 2 things 1 warranty and 2 you get the negotiated price.
- Question: Why does the City Manager need an assistant.
- Manager Dr. Moore replied we have specific projects that need to be moving forward.
- Councilor Gutjahr said if you look back at the questions, you need someone else to have these projects move along while you're doing the negotiations and managing the city is a major need.

## **Manager Report**

### **Universal Waste System quarterly report**

- Clerk Adair said the report for Universal is in the packet
- Councilor Gutjahr asked where we were a quarter before.
- Municipal Clerk Adair said every time she gets the report, she can add it to the existing report before for reference.

### **Council General Discussion & Future Agenda Items**

- Councilor Apodaca said the area where the flagpole is being worked on there are some issues that are being worked on and in that area maybe we can have a small project that could beautify up the city and fix the sign that says Welcome to the city of Rio Communities.
- Manager Dr. Moore mentioned about the flagpoles for City that would cost less than \$10k and that's to get us 2 more pads, Federal, State and City flags.
- Councilor Apodaca asked to be kept up with ongoing projects to beautify the city because first impressions are 90%, this started a discussion.
- Councilor Gutjahr said she sat in on Senator Heinrich about the zip code, she learned several things, and one being they have reached out before, but something happened, they will be talking with someone in Phoenix and talk about arranging another meeting with us, them and people in Phoenix and she has a list of all questions and concerns to present.
- Councilor Gordon said thank you for keeping him informed on the area on Chamartin but if you can keep updating me that would be appreciated.
- Manager Dr. Moore said he can certainly do that and give updates about once or twice a month.
- Councilor Winters had no comments.
- Mayor Ramsell asked if they would be considered their signatures being scanned electronically, so if they are meeting virtual they would not have to come in to sign the document.
- Councilor Apodaca asked about the vacancy on EDC is this going to be moving forward.



- Mayor Ramsell said we are having a meeting for EDC as a Council to discuss how we would like to move forward.
- Councilor Gordon asked about the filling the commissions since people have been sending in applications.
- Mayor Ramsell stated we are hoping to have the committee taken care of by this next meeting.

### **Adjourn**

- The Regular Workshop was adjourned at 5:33 pm.

Respectfully submitted,

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Elizabeth (Lisa) Adair, Municipal Clerk  
(Transcribed by Cheyenne Sullivan, Assistant Clerk)

Date: \_\_\_\_\_

Approved:

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Joshua Ramsell,  
Mayor

\_\_\_\_\_  
Margaret "Peggy" Gutjahr,  
Mayor Pro-tem/Councilor

\_\_\_\_\_  
Arthur "Art" Apodaca,  
Councilor

\_\_\_\_\_  
Lawrence R. Gordon,  
Councilor

\_\_\_\_\_  
Jim Winters,  
Councilor