



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, February 13, 2023 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

**Call to Order**

- Mayor Joshua Ramsell called the regular business meeting to order at 6:01 pm.

**Pledge of Allegiance**

- Councilor Apodaca led the Pledge of Allegiance.

**Roll Call**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
  - City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer (virtual) Stephanie Finch, Fire Chief Andrew Tabet, City Attorney Randy Van Vleck, Valencia County News-Bulletin Editor Clara Garcia.

**Approval of Agenda**

- Motion made by Councilor Gutjahr to approve the agenda as presented. Seconded by Councilor Gordon. With a unanimous vote the agenda was approved as presented.

**Approval of Consent Agenda**

**Minutes for the City Council Workshop & Regular Business Meeting (01/23/23), Approval of Accounts Payable**

- Motion made by Councilor Winters to approve the consent agenda for today's meeting. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the consent agenda was approved.

**Presentation: Economic Development Taskforce**

- ❖ Manager Dr. Moore touched highlights on the presentation from the workshop starting with thanking the economic development taskforce who have been working on this since the middle of 2022 for needs and opportunities for the city. He continued to say this presentation was mainly focused on attracting supermarkets, bringing more detail automotive, to high end parks or RV parks, as well as establishing Rio Communities as a name for tourism and brought up ideas as to what citizens and investors are really going to look into for the city. He further said there is approximately 5k plated lots in the city and of those approximately 300 have utilities and have the ability to have something there but the others are going to have lots of utility infrastructure. He stated there is talks about a private sector and talking to investors and asking them if they are willing to put buildings up for retailers to lease.
- ❖ Manager Dr. Moore continued to say they are looking into partnering with the Valencia County Incubators to continue not only building their success but to continue building the city's success. He stated they are working with 8 clients and have a few on a wait list as of right now once they become successful, they are going to need buildings to move to. He further said the next step is to update the planned ordinance as well as take this to the planning and zoning commission for their review and add it to the comprehensive plan and that way all the ordinances and plans are all on the same page. He continued to say the plated land needs to be

brought up for businesses to know these is ready to go and since we already did a supermarket letter, and we can possibility make a retail letter to attract the right audiences.

- ❖ Councilor Apodaca said he's glad we are on the right track, and this is a good idea.
- ❖ Councilor Gutjahr said she is impressed with this information and shows where we can start from or move forward with. She continued to say this is a great working document and is wondering when they can have it for the public to see and said she wanted to thank everyone who worked on this.
- ❖ Manager Dr. Moore said he will make sure to finalize it and get it up on the website but also make hard copies for whoever would like one.
- ❖ Councilor Gordon thanked Dr. Moore for putting the presentation together.

### **Public Comment**

- Dick Irvine from Western Drive asked if there were any follow ups from last weeks meeting. He then said it was since then he came to meet with Dr. Moore about the individual who accumulated tumbleweeds and which was the beginning of a homeless camp as well as a random pole in the middle of nowhere. He continued to say him and his wife came in to see Dr. Moore and he immediately took action calling public works and long story short they got the job done and then gave an A plus to Dr. Moore and the public works department as well but a F to the council because they never went to talk to him about the situation. He continued to express his feelings about how they feel like they do not care about the citizens and asked if they have ever driven by to see what was going on.

### **Manager Report**

- Manager Dr. Moore said the support from here, all elected officials, staff and as well as homeowners is appreciated, and explained when getting an issue from someone the staff start making follow ups and in some places in the city 1 or more people as well as code enforcement. He said with the corporation from the public works department and code enforcement have been beneficial to the city.

### **Administrative Calendar 2023, Budget Calendar for FY 2023, Universal Waste Systems quarterly report**

- He explained the administrative calendar and budget calendar is out for this year and will start this year as our plan is to start on Thursday giving the department heads budget worksheets.
- Manager Dr. Moore said regarding Universal Waste Systems Quarterly Report, who we have been working with the Court as well as talking with the Judge and the attorney who are putting together some procedures for us when it comes to dealing with code violations and are taking advantage of the years that we have as well as working on making sure if you get sentence to court you need to show up.

### **Moving forward with Construction of Phase 1 of the City Hall Multi-use complex**

- Mayor Ramsell said we did go over this in the workshop but to recap we have 2 capital overlay grants for the remodel and the quote was over \$604k and the amount the city would have to pay just came out under \$50k as well as requesting addition \$60k for furnishing once the remodel is complete.
- Councilor Gutjahr explained these are capital outlay grants that we have had and once they are expended, they will be paid out which we have always needed to do.

- Mayor Ramsell said there will be a little money left over and this will be going towards purchasing art which is required by state for capital outlay grants.
- Motion made by Mayor Pro-tem Gutjahr to move forward with construction of phase 1 of the city hall multi-use complex. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved moving forward with the construction of phase 1.

#### **Approval for (2) two Limited Term Code Enforcement Positions**

- Manager Dr. Moore said in the 2023 fiscal year we came to the Council to ask which was a experimental pilot project to merge with the fire department with code enforcement and in doing so the city has seen a significant impact. He requested to move away from temporary employees and into 2 limited term positions instead and those position would run through the current fiscal year and intend to come back to ask for these positions to extend into 2023-2024 fiscal year and then come back mid-year and you guys can decide to keep moving forward or change the direction.
- Motion made by Councilor Apodaca to approve the two limited term code enforcement positions through June 30, 2023, with the option to extend. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the two limited term code enforcement positions.

#### **Resolution 2023 - XX Change of Fire Department Name**

- Fire Chief Tabet said we are coming to you today to ask to change the fire station from Rio Grande Estates to Rio Communities Fire Department. He further said this enables us to solidify the fire department as well as making sure the trucks have Terra Grande to show we are still serving them as well. He continued to say we are district 1 and this is how we know where we service in the county.
- Mayor Ramsell said for clarification they are just changing the name and not the district.
- Motion made by Councilor Gordon to approve Resolution 2023-05 Change of Fire Department Name from Rio Grande Estates fire and rescue to Rio Communities Fire Department. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2023 – 05 Change of Fire Department Name was passed, approved, adopted, and signed.

#### **Resolution 2023 - XX Disposition of Obsolete, Worn-out or Unusable Tangible Personal Property**

- Fire Chief Tabet said we are in a unique position to provide this country our outdated gear and hoses. He stated Mr. Mims approached them and asked if they could donate anything due to them not having help and gives us a chance to clean out the clutter.
- Mr. Mims said he would like to extend the appreciation from council from the prime minister of Antigua and Barbuda. He then explained that they are planning a press conference as well as a live interview on TV to talk about everything and this will put Rio Communities more on the global standpoint.
- Motion made by Councilor Apodaca to approve Resolution 2023 – 06 disposition of obsolete, worn-out, or unusable tangible personal property as stated by the Chief. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2023 - 06 Disposition of Obsolete, Worn-out or Unusable Tangible Personal Property was passed, approved, adopted, and signed.
- Mr. Mims said the City of Albuquerque is scheduling a delegation with their elected officials to go to Antigua and Barbuda sometime this year and invited council to go as well.

## **Memorandum of Agreement (MOA) Valencia County Fire Department and Rio Communities Fire Department**

- Fire Chief Tabet explained this is an agreement with Rio Communities and Valencia County fire department and these are the first of two tenders that they are donating to our station and explained these are being replaced with new ones and since they do not have a need for them, they offered these as critical need for our city. He further explained in it was critical for each district to have a certain amount of water stored and this agreement is we will insure the trucks and to make sure we are physically and responsible for the vehicles but does take county sometime to do there donation process.
- Councilor Winters said it would be nice if someone would send a letter to thank them for the donation.
- Mayor Ramsell commended the Chief for thinking outside the box and thanked him for coming to council instead of waiting as well as thanked the Chief for finding these knowing we do not have the budget right now for it.
- Motion made by Councilor Gordon to approve the Memorandum of Agreement (MOA) Valencia County Fire Department and Rio Communities Fire Department. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the Memorandum of Agreement (MOA) Valencia County Fire Department and Rio Communities Fire Department.

## **Governmental Services Agreement between the State of NM, Energy, Minerals and Natural Resources Department and the City of Rio Communities - for a Wildland Fire Coordinator**

- Fire Chief Tabet explained this is a wildland grant for \$25k that was applied for and with 44 applicants only 10 were awarded Rio Communities being 1 of the 10. He continued to say he is grateful they got it as well as are looking forward to be able to bring a wildland fire coordinator to the city.
- Councilor Apodaca said congratulations on being 1 of the top 10 out of the 44 and good job being on top of this.
- Councilor Gutjahr seconded what Councilor Apodaca said.
- Councilor Winters said this is a very good thing for the fire department and helps rounds out some needs we do have.
- Motion made by Councilor Apodaca to approve the Governmental Services Agreement between the State of NM, Energy, Minerals and Natural Resources Department and the City of Rio Communities - for a Wildland Fire Coordinator. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the Governmental Services Agreement between the State of NM, Energy, Minerals and Natural Resources Department and the City of Rio Communities - for a Wildland Fire Coordinator.

## **Council Discussion**

- Councilor Apodaca had nothing to report.
- Councilor Gutjahr said she was in touch with Senator Stefanics about it being ten years since Rio Communities became a city and she will be putting a memorial together but would like the wording sent to her.
- Councilor Gordon had nothing to report.
- Councilor Winters had nothing to report.

**Executive Session - For the purpose of a) Public Works Director pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters**

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

- Motion made by Mayor Pro-tem Gutjahr to go into closed session for the purpose of the Public Works Director pursuant to NMSA 10-15-1(H)(2) Limited Personnel Matters. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into close executive session at 6:58 pm.

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

- Motion made by Councilor Gordon with a roll call vote to go back into the regular business meeting session. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went back into the regular business meeting session at 8:13 pm.

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

- Mayor Joshua Ramsell stated: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on February 13, 2023 a Closed Executive Session was held and the matters discussed were for the purpose of the Public Works Director pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters.

**Discussion, Consideration, and Decision - Public Works Director pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters**

- Mayor Ramsell said there is no recommendations but that it will be discussed at the next business meeting.
- Motion made by Mayor Pro-tem Gutjahr to approve the recommendation as stated. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the recommendation has been approved.

**Executive Session - For the purpose of Police Chief Recruitment Application review pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the 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 and roll call vote to go into close session**

- Motion made by Mayor Pro-tem Gutjahr with a roll call vote to go into close session for the Police Chief Recruitment Application review pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and c) for the 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), Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into close executive session at 8:15 pm.

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

- Motion made by Councilor Gordon, Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went back into the regular business meeting session at 8:57 pm.

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

- Mayor Joshua Ramsell stated: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on February 13, 2023 a Closed Executive Session was held and the matters discussed were For the purpose of Police Chief Recruitment Application review pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the 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).

**Discussion, Consideration, and Decision - Police Chief Recruitment Application review pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the 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)**

- Mayor Ramsell said there was no action or recommendation at this time.

**Adjourn**

- Motion made by Councilor Winters to adjourn. Seconded by Councilor Gordon. With a unanimous vote the City Council Regular business meeting was adjourned at 8:58 pm.

Respectfully submitted,

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Elizabeth F. Adair, Municipal Clerk  
(Transcribed by Cheyenne Sullivan, Assistant to the Municipal Clerk)

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

Approved:

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

\_\_\_\_\_  
Margaret R. Gutjahr,  
Mayor Pro-tem/Councilor

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

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

\_\_\_\_\_  
Jimmie Winters,  
Councilor