



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, January 13, 2025 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 6:01 PM

Pledge of Allegiance

Councilor Gordon 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
Fire Chief Andrew Tabet
City Attorney Randy Van Vleck
Finance Officer Roy Hubbard

Approval of Agenda

Motion made by Councilor Gordon to approve the Agenda as presented. 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

Councilor Marquez had a question about accounts payable about the payments to HEI and asked what streetlights were repaired and what was wrong with the streetlight.

City Manager Dr. Moore stated there were shorts in the wiring and they needed to be repaired.

Motion made by Councilor Nelson to approve the Consent Agenda. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote.

City Manager Dr. Moore swore in Andrew Good as a Rio Communities Police Officer.
City Manager Dr. Moore swore in Officer Rodriguez as Sergeant of the Rio Communities Police Department.

Police Chief Nunez talked about Sergeant Rodriguez and Emma Sanchez completing the CNM Course.
He talked about Andrew Good Graduating from the Police Academy.

Public Comment:

No Public Comments

Manager Report

City Manager Dr. Moore stated as requested he sent a letter to Maverik and stated that in the letter he thanked them for coming to the community and stated that the fire hazard on the property and urged them to get it cleaned up. City Manager Dr. Moore talked about the fires in California and about the fire hazard around the City. He stated that the City is going to send letters to everyone in the City to clean up all the fire hazards.

Fire Chief Tabet stated that he would like to have some public educate on fire season and stated that it is going to be a very dry fire season in the State of New Mexico.

City Manager Dr. Moore introduced the Sharp IT team and started that the reason for them being here is that the servers that the servers were purchased under a five-year purchase agreement and with this purchase agreement the City owns this set of servers that are close to the end of their life span. He stated that they are here to explain where the City needs to go from here.

Mike Hurela stated he was here when the City first got the network and in the past five years, they have added the Fire and the Police Department and stated that there is a new agreement on the table for City hall.

The Sharp IT team introduced themselves.

Councilor Marquez asked if the City was at the end of the life spans.

Mr. Resler stated the reason why they are here is to answer any questions about the City's current services and stated the servers they mentioned have about two years left on them and to help the City build an IT road map and stated that IT is less expensive when we are proactive and talked about the next work and security.

Mayor Ramsell asked if the City owns the servers.

Dr. Moore explained that City owns the City Hall servers and there is also a server in the Fire Department and the Police Department that have been added. He explained that the City wants to consolidate all the servers into one agreement.

Councilor Marquez asked after the two years is up how much it will cost to consolidate and repair the server that is out of date.

Mr. Resler stated to consolidate all the services that can be changed at any time. He then explained that they will evaluate what we have now and then explained that the police and the fire have different security, and they are working on an agreement.

Mayor Ramsell asked about the help desk and other products.

Mr. Resler explained the services they offer and the help desk that is available to all staff at any time and also the security of the network. He stated the City has gone from six employees to 36 employees.

There was a discussion.

City Manager Dr. Moore stated that they will be coming back with the Sharp IT agreement in a future meeting

Councilor Marquez asked if the Finance officer Mr. Hubbard, has taken over all the duties from Beasley and Mitchell

Mr. Hubbard stated they are still on contract until March, but the City has been cutting costs.

City Manager Dr. Moore explained that Mr. Hubbard has taken over some things as far as payroll and audits.

City Marquez asked if the City would keep Beasley and Mitchell until March.

City Manager Dr. Moore stated that he will talk to the Finance officer and see where he feels comfortable.

Councilor Marquez talked about having a safety operating procedure for the City and asked if one has been created or if Dr. Moore has reached out to anyone from the Municipal League.

City Manager Dr. Moore has contacted someone from the Municipal League and the City is moving forward.

Fire Chief Tabet stated that he is looking into getting Council FEMA training. He explained that there are some training that Council is required to have and explained that with half the County being on fire some trainings have been postponed.

Councilor Marquez asked about this year's legislative session if the City has a plan

City Manager Dr. Moore explained yes that he will send the Council a copy of ICIP that has been submitted. He explained that there is Valencia County Day and Municipal Day coming up in February.

Councilor Marquez talked about the park planning and design and if they have started to look at the design.

City Manager Dr. Moore stated yes, they will have a proposal in February.

Councilor Marquez talked about an email for the Strategic Water Policy Forum and stated he RSVP and stated if there was a notice of quorum posted.

Deputy Clerk Aragon explained that a possible quorum noticed was posted at the bottom of the agenda.

Councilor Marquez requested to on the big board about the fire prevention and to keep weeds cleaned up. He then talked about RC assist and asked if there has been any training. He stated that he will volunteer his time to get the training if needed.

City Manager Dr. Moore explained they have reached out and are working on getting some training.

Discussion, Consideration, and Decision – Appointment of Michael Melendez to Planning & Zoning Commission

Mayor Ramsell introduced Mr. Melendez

Councilor Marquez stated there are a few questions about his resume and stated that one was is that he is employed with Valencia Solar electric Company from 1983 to present and from that date and the dates further down as a building inspector for Las Cruces from 1998-2000 and Housing authorities from 2010-2011 to me those look conflicting.

Mr. Melendez stated that Valencia Solar is the business he owns, and he has worked on that as needed since 1983 and he is basically saying it is his experience with selling solar and explained he is showing his range of experience from 1983 to present.

Councilor Marquez asked when he started the business Valencia Solar Electric.

Mr. Melendez explained he gave the name of Valencia Solar and explained he relocated here in 07 and started the company in 2023.

Council Marquez stated that it shows an inaccuracy and if he wanted it to say he worked on water heaters it should have said that here it says he worked with the company since 1983.

Mr. Melendez explained that he was just explaining his experience since 1983.

Councilor Marquez asked about his position as planning and zoning commissioner in Donna Anna County from 2002- 2026 and asked why he didn't extend his term.

Mr. Melendez stated that he had some family changes and decided not to run for another two-year term, and he moved to Valencia County in 2007.

Councilor Marquez asked Rio Communities having a lot of solar coming in how his Commission on the planning and zoning will affect his business with solar.

Mr. Melendez stated that if this is the case he would have to step down.

Councilor Apodaca stated that his resume seems to be in line with what the City is looking for. Councilor Gordon thanked Mr. Melendez for his interest.

Councilor Marquez asked if there were any other applicants.

Mayor Ramsell stated there was another applicant.

Councilor Marquez asked if there was a reason they were ruled out.

Mayor Ramsell stated that Mr. Melendez background was a better fit.

Motion made by Councilor Apodaca to appoint Michael Melendez to the planning & zoning commission. Seconded by Councilor Gordon.

Voting Yea:	Voting Nay:
Councilor Gordon	Councilor Nelson
Councilor Apodaca	Councilor Marquez

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

Discussion, Consideration, and Decision – Truck Bypass Agreement to Grant Public Road and Utility Easement, Grant Easement for Public Road Supplement Easement and Vacation Agreement

City Manager Dr. Moore explained the bypass road and the easement and stated that there are a few things that our attorney has been working with them on. He stated that there have been a few questions on was is the engineering done and the answer is yes. He then stated that the interconnect agreement with the Department of Transportation has been completed the answer is no. He stated that the engineers as far as designs for the size of vehicles that will be going on that road have been approved by the Department of Transportation.

Councilor Nelson stated that he saw a few discrepancies in the contract.

There was a discussion.

City Manager Dr. Moore recommended a recess.

Mayor Ramsell recessed the meeting at 7:22pm.

Mayor Ramsell came back from recess at 7:30pm.

Mayor Ramsell recommends postponing this agenda to the next meeting.

Motion made by Councilor Nelson to postpone this agenda item until the next meeting. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote.

Mayor Ramsell Recommended moving agenda item #9 up to the next agenda item.

Motion made by Councilor Nelson to move agenda 9 to the next agenda item. 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 – Resolution 2025-01 Fire Recruitment Fund

City Manager Dr. Moore explained that the Department of Finance Administration is requesting a resolution.

Councilor Nelson made a motion to approve resolution 2025-01 Fire recruitment fund. 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 - Universal Waste Franchise Agreement (14-day Review)

Mayor Ramsell asked if the Council has to vote for this on a 14-day review.

City Attorney Van Vleck explained that this is up for a 14-day review and explained that this is an agreement, and the second part will be an ordinance to make it legal. He explained fees may go up, but franchise fees will also go up. He explained there may be a few areas in the contract that may have some concern and Mrs. Vaghn, and he is here to answer any questions.

Councilor Nelson stated that he would like to have the 14-day review and have a workshop.

There was a discussion.

Councilor Marquez asked Mrs. Vaughn from Universal Waste to be at the workshop.

Mrs. Vaughn stated she will be at the workshop and also stated that in the contract there is a cleanup, and they would like to assist in the clean up if they would like to add that to the letter and there will be no charge to the residents and also they can add any language the City would like of the cleanup to their quarterly newsletter that goes out to all residents.

No action was taken.

Discussion, Consideration, and Decision – Resolution 2025-02 Open Meetings Act

City Manager Dr. Moore recommended approval.

Councilor Nelson asked if there have been any changes.

Deputy Clerk Aragon explained the only change is that we will not be posting at the Moose that has been changed to Chamesa. The posting sites will be Oasis wash and fold, Rio Communities Fire Department, NM Water Authorities, Tierra Grande, Chamesa and the City Clerks office.

Motion made by Councilor Marquez to approve resolution 2025-02 open meetings act. 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 – Fire Chief Employment Contract

City Manager Dr. Moore explained that the contract has been looked over by Fire Chief and has been approved.

Councilor Marquez wanted to change the contract and add pay increases annually to the contract.

City Attorney Van Vleck stated that it would be something you would have to discuss every year and explained that the budget will change every year and that isn't something you would want to put in a contract if the City can't afford it next year.

There was a discussion.

Motion made by Councilor Nelson to approve the Fire Chief employment Contract with the correction on page 4 to FLSA exempt. Seconded by Councilor Marquez.

Voting Yea:
Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision – Memorandum of Agreement by and Between the City of Rio Communities (grantee) and the North Central New Mexico Economic Development District (NCNMEDD) for Government Results and Opportunity (GRO) Appropriations - Library

City Manager Dr. Moore explained that that the Council of Government and Senator Sephonix would like to fund the Library.

Motion made by Councilor Gordon to approve the Memorandum of Agreement by and Between the City of Rio Communities (grantee) and the North Central New Mexico Economic Development District (NCNMEDD) for Government Results and Opportunity (GRO) Appropriations. Seconded by Councilor Marquez.

Voting Yea:
Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote

Discussion, Consideration, and Decision – Code of Ethics & Conduct

City Manager Dr. Moore explained that City of Rio Communities has adopted by resolution on two separate instances codes of conduct and ethics that state ethics commission recommends that these be reviewed every four years and explained that last one was reviewed in December of 2023 and there was an amendment. He thinks that there are things he thinks need to be tightened up and it is very important how we are going to conduct ourselves and be transparent.

Mayor Ramsell asked if there was a copy to sign.

City Manager Dr. Moore is asking if the Council wants to adopt what we have of if they would like it to be readvised.

Councilor Marquez stated he wants all employees to sign this.

Councilor Nelson wants the Code of Ethics and conduct to be updated.

Fire Chief Tabet explained that the Fire Department and the Police Department have their own code of ethics, and they can work with Mr. Va Vleck and have it across the board.

Apodaca stated as Council they will be faced with issues and that the code of conduct is very important and that we obtain our utmost professionalism in our meeting and refrain from any derogatory statements.

No action was taken

Council Discussion

Councilor Marquez stated that on Sundial Boulevard there are multiple landowners blocking City easement with large boulder, trash and debris also are expanding their land into City easements and asked if any letters have been sent out.

City Manager Dr. Moore stated that this is something the City needs to look into.

Police Chief Nunez stated that they will look into the matter. He explained there was an issue with ATVs and that may be a reason why they are doing that.

Councilor Marquez stated that these boulders on the City easement is a liability on the City.

Councilor Marquez talked about the area southeast of Chamisa.

City Manager Dr. Moore stated that there is some debris that was gone but some has taken the place he talked about the sign has been shot up and we will replace it and put up signs that this is illegal as far as policing the area we will do what we can.

Councilor Marquez suggested if the City get a bulldozer and a dump truck and clean it up. He then talked about having a budget review.

City Manager Dr. Moore stated that we will have a budget review on January 27th or February 10th,

Councilor Marquez requested an updated email more frequently on what's going on in the City to eliminate all the questions he has during the meetings.

Councilor Gordon congratulated Sergeant Rodriguez as our first Sergeant for and all officers for all they do.

Councilor Nelson asked about the progress of the agreement with Valencia County and the City Belen on the Senator Willie Chaves Park.

City manager Dr. Moore stated that the City hasn't heard anything from the County.

Councilor Nelson asked about the current employee list and a take home vehicle list. He stated that the Rio Communities app is out of date. He then talked about the Flags outside of City Hall need to be replaced.

Councilor Apodaca congratulated the Police officers and the Police Chief for sticking around with all the challenges. He then thanked Fire Chief for all he does for the City and stated they both run their departments very well.

Mayor Ramsell congratulated Sergeant Rodriguez and Emma Sanchez. He also recognized all the police officers for all they do. He recognized Police Chief Nunez and Fire Chief Tabet for all their hard work. He stated that if there are any concerns to contact Dr. Moore or Deputy Clerk Lalena.

Executive Session - For the purpose of discussion for threatening or pending litigation pursuant to NMSA 10-15-1(H)(7) (Sandoval VS City of Rio Communities)

Motion and roll call vote to go into closed session

Motion made by Councilor Gordon to go into closed session to discuss threatening or pending litigation pursuant to NMSA 10-15-1(H)(7) Sandoval VS City of Rio Communities. Seconded by Councilor Marquez.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote at 8:34pm.

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

Motion made by Councilor Nelson to go back into regular business meeting session. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon
Councilor Apodaca
Councilor Nelson
Councilor Marquez

Motion passed with a 4-0 vote at 8:48pm

Welcome everyone back and statement by the Mayor:

Motion made by Councilor Nelson to accept the Mayors Statement as read. 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 8:49pm.

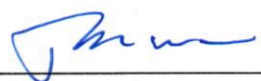
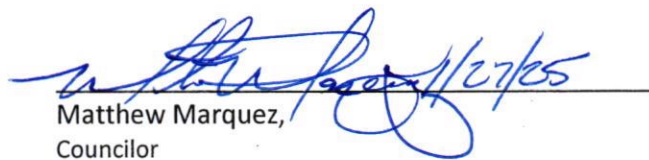
Respectfully submitted,



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

Date: 1/27/2025

Approved:


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